

**MEDICAL LICENSING BOARD OF INDIANA
INDIANA GOVERNMENT CENTER SOUTH
402 WEST WASHINGTON STREET
ROOM W064
INDIANAPOLIS, INDIANA 46204**

MINUTES OF FEBRUARY 23, 2017

Kirk Masten, D.O., President, called the meeting to order at 8:38 a.m. A quorum was declared in accordance with IC 25-22.5.

Members Present: Kirk Masten, D.O., President
John Strobel, M.D., Vice President
Bharat Barai, M.D., Secretary
Victoria McCann, J.D., Member

Members Absent: Scott Green, M.D., Member
Rebecca Mueller, M.D., Member

Staff Present: Darren R. Covington, J.D., Board Director
Professional Licensing Agency
James Schmidt, Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Barai/McCann, 4/0/0
Motion carries

The Board voted to adopt the minutes of the January 26, 2017 meeting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Barai/McCann, 4/0/0
Motion carries

PUBLIC HEARING, LSA 15-448, CERTIFIED DIRECT ENTRY MIDWIVES

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Dr. Masten gave the opening remarks and welcomed interested parties to the meeting.

The following individuals testified regarding the rule:

Rhoda Baughman, CPM

- Works with Dr. Christopher Stroud
- Stated that as a CPM she consults on a daily basis with Dr. Stroud
- Expressed support for the language of the rule as proposed and wants to continue to practice as has been.
- Stated that she does VBACs in consultation with Dr. Stroud and opposes any prohibition on VBACs. She has not found uterine rupture to be a concern with her VBAC patients.
- She has never lost a patient in 13 years of practice

Cyndy Lybolt, AIM

- Restrictions on collaborating physician being actively engaged in obstetrics should be lifted as there are few physicians who would collaborate
- Women should have autonomy to choose physician, not just physician with training/experience as rule requires.
- Women should have the right to decline any testing
- Rule will increase costs and impose undue restrictions
- Advocated for following Washington State model of care in which midwife enters into a safe transport agreement with a hospital in case transport during delivery is needed and notifies hospital as home birth is occurring. Then, the hospital is aware and ready to receive a transport if needed.

Emily Houghton, Paramana Birth Services

- Student midwife working with Cyndy Lybolt
- Advocated for requiring pharmacology course prior to licensure, not just during renewal
- As a consumer of midwife services, do not want to be required to see collaborating physician
- Expressed concern that rule will make it very difficult to find a collaborating physician.

Brandi Wood, CPM

- Midwife in central Indiana
- Currently has a collaborating agreement with a physician
- Expressed concern about reducing distance from collaborating physician to 30 miles and requiring collaborating physician to have privileges or collaborative

arrangements with other physicians in designated emergency hospitals. This would require her physician to have such arrangements with 26 different hospitals in her service area.

- Proposed alternative of sending emergency care plan to hospital of patient's choice.

Michelle Sanders, CPM

- President, IMA
- Expressed concern about distance requirements, especially from hospitals as there many parts of the state without a labor/delivery unit in the county of service.
- Recommended allowing option to transfer to closest hospital with a labor/delivery unit, not just one where the collaborating physician has privileges or coverage arrangements

Zara Fagen

- Consumer member, Midwifery Committee
- Also expressed support for Washington State care model of "seamless" transport. See Lybolt's comments above.
- Expressed support for limit on number of midwives a physician can collaborate with.
- Would like to see a pharmacology course required for initial licensure, not just for renewal
- Recommended requiring BRIDGE certificate for midwives who did not complete a MEAC approved program

Victoria Floyd, CNM

- Member, Midwifery Committee
- A consumer herself – she has had 3 home births
- Expressed concern about distance requirements, especially from hospitals as there many parts of the state without a labor/delivery unit in the county of service.
- Voiced opposition to limits on number of collaborations. Noted that physicians only collaborate with and do not supervise midwives.
- Voiced opposition to requiring AMCB certification as this is only available to nurse midwives.

Mary Ann Griffin, CPM

- President, Midwifery Committee
- Voiced opposition to requiring AMCB certification as it is not required by state law
- Expressed strong opposition to reducing distance from collaborating physician to 30 miles, as they would effectively prohibit most midwives from being able to practice
- Supports idea of registering patients with local hospital in event transport is needed
- Opposes adding macrosomia to list of referral conditions as it is difficult to estimate gestational weight

- Supports suggestion to add the "ALSO" course to required renewal courses
- Impractical to require physicians to attend peer review sessions; peer review sessions should be conducted with peers, that is, midwives. Noted that midwives will already be reviewing cases with their collaborator.
- Opposes restrictions on VBACs.
- Noted that all MEAC programs include a pharmacology course and thus opposes additional pharmacology course for initial licensure.
- Noted that of the 38 letters received from physicians in comments, 10 supported the rule as written

Mary Helen Ayres, CPM

- Vice President, Midwifery Committee
- Requiring collaborators to be actively practicing obstetrics will severely limit number of available collaborators
- Supports keeping distance requirements as written in the rule, noting that 34 counties do not have a labor/delivery unit
- Supports filing emergency care plan with hospital instead of requiring collaborator being privileged at every hospital in service area

Amanda Chandler, CPM

- Voiced support for rule as written
- Noted that her collaborating physician already prohibits her from assisting in VBACs, breaches or twins.

Bethany Smith, CPM

- Stated that she has had good outcomes with VBACs

Eric Sutherland

- Wife has had 2 home births
- Noted that consumers of midwife services tend to be very educated about the decision. Stated that if consumers have options to multiple hospitals they should have the option to choose from multiple providers.
- Opposes 30 mile radius limit and restrictions on VBACs
- Noted that home births have been positive experiences

Felicia Williams-Vinson

- Has had home births with Cyndy Lybolt
- Her home births were positive experiences
- Expressed concerns over collaboration requirements
- Desires to someday be a CPM

The Board also received written comments.

Rule Discussion:

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The Board moved to ADOPT the rule with the following amendments:

844 IAC 17-1-9(b)(24) Prior ~~classical~~-caesarean section or uterine surgery with a fundal incision or myomectomy, or both.

844 IAC 17-1-6

Sec. 6. (a) When renewing a certificate, each certified direct entry midwife shall provide to the board documentation of the successful annual completion of fifteen (15) hours of board approved continuing education credits, with:

- (1) at least one (1) hour annually in pharmacology;
- (2) at least one (1) hour every two (2) years in **each of the following:**
 - (A) emergency life support procedures.
 - ~~(3)~~ (B) identification of high risk births for mothers.
 - (4) (C) identification of potential complications during labor.

At least fifty percent (50%) of these hours must be obtained from courses attended in person.

844 IAC 17-1-7(b)(2) Where at least four (4) of the participants present are **either any** of the following:

- (A) A certified professional midwife.
- (B) A certified direct entry midwife.
- (C) A certified nurse midwife.

844 IAC 17-1-11(9) **Filed with the designated hospital or hospitals listed in the emergency care plan.**

844 IAC 17-1-3(b)(4)(E) Completion of the Certified Professional Midwife credentialing process birth requirements, observation of an additional twenty (20) births, attendance at an additional twenty (20) births conducted by a physician, assistance with an additional twenty (20) births, and, acting as the primary attendant for an additional twenty (20) births. The additional births must take place in the United States, **and all births except the additional twenty (20) births conducted by a physician, and must** be overseen by a preceptor approved by the North American Registry of Midwives.

Barai/McCann, 4/0/0
Motion carries

DISCUSSION

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Rule Updates

Telemedicine Guidelines

The Board held a discussion and reviewed FSMB's Model Guidelines. The consensus was to include the provisions regarding informed consent; continuity of care; referrals for emergency services; medical records; privacy & security; disclosures & functionality of online services; advertising; and, preferred pharmacy relationships in the new telehealth rule.

Acupuncture Referral Rule

The Board voted to adopt the following draft language and to proceed in the formal rule making process:

844 IAC 13-5-4 Referral

~~Sec. 4. (a) A licensed acupuncturist may only provide services upon the referral of a licensed medical doctor or doctor of osteopathic medicine. This subsection does not apply to licensed professional acupuncturist.~~

(b) An acupuncturist may, whenever the acupuncturist believes it to be beneficial to the patient, send or refer a patient to a qualified specific health care provider. Prior to any such referral, however, the acupuncturist shall examine and/or consult with the patient to reasonably determine that a condition exists in the patient that would be within the scope of practice of the specific health care provider to whom the patient is referred.

Barai/Strobel, 4/0/0
Motion carries

High Breast Density Guideline Rule

The Board voted to adopt the following draft language and to proceed in the formal rule making process:

844 IAC 16-1-2 Definitions

Sec. 2. (a) The definitions in this section apply throughout this rule.

(b) **"Consult" means to discuss with, provide a recommendation, seek an opinion, or other similar action by any means of communication.**

(b) (c) "Extremely dense" means the breast has a lot of fibrous and glandular tissue making it harder to find a cancer that may be present, as it can blend in with normal breast tissue.

(e) (d) "Heterogeneously dense" means the breast has more areas of fibrous and glandular tissue that are found throughout the breast, making it difficult to see small masses.
(d) (e) "High breast density" has the meaning set forth in IC 25-22.5-2-7(a)(11). Both extremely dense and heterogeneously dense breast tissues are breast tissues with high breast density.

Healthcare Volunteer Registry Location Applications

The Board voted to approve the following healthcare volunteer registry location applications:

City on a Hill Church, Scottsburg, IN

Barai/Masten, 4/0/0
Motion carries

The Board voted to deny the following healthcare volunteer registry location applications:

Open Door Health Clinic, Frankfort, IN

McCann/Masten, 4/0/0
Motion carries

The Board voted to table the following healthcare volunteer registry location applications:

Mollie Wheat Memorial Clinic, Terre Haute, IN

CONSENSUS
Motion carries

Anesthesiologist Assistant Application Process

The Board Director informed the Board of changes made to the supervisory section on the Anesthesiologist Assistant application and the creation of a Change/Addition Application for anesthesiologist assistants to use to notify the Board of a change or addition of a supervising anesthesiologist.

Probationary Terms

The Board discussed creating a list of commonly imposed probation terms for use in deliberations after disciplinary hearings or following a personal appearance. The Board Director will work on creating this list to provide to the Board for their review.

APPLICATION REVIEW

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The Board voted to deny the following application:

Maria Collantes, M.D. – failure to meet minimum requirements for licensure – failure to pass all steps of USMLE within three attempts

Strobel/Masten, 4/0/0
Motion carries

The Board voted to deny the following application:

Martin Fedko, M.D. – failure to meet minimum requirements for licensure – graduated from disapproved medical school

McCann/Masten, 4/0/0
Motion carries

The Board voted to approve the following postgraduate training application with a waiver from the approved foreign medical school rule:

Asha Shah, M.D. – graduated from unapproved foreign medical school

Barai/McCann, 4/0/0
Motion carries

PERSONAL APPEARANCES

Daniel Pirvan, M.D. – graduated from unapproved foreign medical school

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Dr. Pirvan graduated from a foreign medical school that was neither approved nor disapproved. Dr. Pirvan is applying for full licensure.

Dr. Pirvan indicated he has passed the USMLE and has an ECFMG certification. He will be taking his board certification exam in April in family practice. He is currently the Chief Resident at the University of Alabama and has a job opportunity in a residency program at Parkview Hospital. Dr. Pirvan does not hold a full medical license in any other state.

After discussion, the Board indicated it would not approve his application for full licensure at this time, but would approve an application for postgraduate training.

Dr. Pirvan was directed to complete the postgraduate training permit application and upon receipt of all requirements it would be granted.

The Board moved to APPROVE a postgraduate training permit pending receipt of all application requirements.

Strobel/McCann, 4/0/0
Motion carries

ADMINISTRATIVE HEARINGS

Robert Ash, M.D., License Number 01041068A, Cause Number 2017 MLB 0004

Respondent appeared in person and by counsel, J. Richard Kiefer, regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Jessica Krug, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The parties presented a settlement agreement whereby Respondent's license would be placed on probation with terms and conditions. The settlement was a resolution of a Complaint that alleged Respondent continued to provide treatment to a patient in a non-office setting following the closure of his practice. During this, the patient was able to obtain prescription blanks and used these to write fraudulent prescriptions for controlled substances.

After discussion, the Board moved APPROVE the SETTLEMENT placing Respondent's license on INDEFINITE PROBATION and imposed a FINE of \$500. The Board also moved to RENEW Respondent's license.

Barai/McCann, 4/0/0
Motion carries

Samuel Byrd, M.D., License Number 01058714A, Cause Number 2016 MLB 0040

Respondent appeared in person and by counsel, Barclay Wong, regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Amelia Hilliker, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The parties presented a settlement agreement whereby Respondent's license would be placed on probation for a minimum of two years with terms and conditions, including compliance with a physician assistance program contract. The settlement was a resolution of a Complaint that alleged Respondent prescribed controlled substances to family members without documenting any diagnosis or examination and that Respondent had substance abuse issues with alcohol and marijuana.

After discussion, the Board moved APPROVE the SETTLEMENT placing Respondent's license on INDEFINITE PROBATION and imposed a FINE of \$1,500.

Barai/McCann, 4/0/0
Motion carries

The Board then voted to RENEW Respondent's license.

McCann/Strobel, 4/0/0
Motion carries

Brian Cocke, M.D., License Number 01063055A, Cause Number 2012 MLB 0010

Respondent appeared in person and with counsel, Mary Watts, regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Respondent filed a petition to withdraw probation from his license. Respondent indicated he was currently in a fellowship program in Florida practicing family and urgent care. Respondent presented evidence that he had been compliant with his ISMA contract and ISMA's Candace Backer testified in support of his petition.

After discussion, the Board moved to WITHDRAW Respondent from probation.

Barai/McCann, 4/0/0
Motion carries

Michael Cozzi, M.D., License Number 01045203A, Cause Number 2016 MLB 0013

Respondent appeared in person, and by counsel, J. Richard Kiefer, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jessica Krug, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The parties presented an agreement to extend the summary suspension of Respondent's license for an additional ninety (90) days.

After discussion, the Board moved to APPROVE the SETTLEMENT AGREEMENT and EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Barai/McCann, 3/0/1 (Masten abstaining)
Motion carries

Katie Johnson, M.D., License Number 01074761A, Cause Number 2016 MLB 0021

Respondent did not appear in person, but by counsel, Ron Elberger, regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Amelia Hilliker, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

As a condition of probation, Respondent was required to maintain compliance with PAP ISMA contract. The Board issued an Order to Show Cause after receiving information that Respondent's contract was terminated.

Respondent's counsel indicated that Respondent suffers from MS and is physically unable to meet the requirements of her contract. She has not practiced since October 2015 and the Board's order states that she may not return to practice until she first appears before the Board.

After discussion, the Board moved to DISMISS the Order to Show Cause.

Strobel/Barai, 4/0/0
Motion carries

Michael Love, M.D., License Number 01048505A, Cause Number 2016 MLB 0046

Respondent did not appear in person, but by counsel, J. Richard Kiefer, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Stacy Oliver, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The parties presented an agreement to extend the summary suspension of Respondent's license for an additional ninety (90) days.

After discussion, the Board moved to APPROVE the SETTLEMENT AGREEMENT and EXTEND the SUMMARY SUSPENSION for ninety (90) days.

McCann/Strobel, 4/0/0
Motion carries

Bernardo Lucena, M.D., License Number 01039302A, Cause Number 2016 MLB 0036

Respondent appeared in person and without counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Aaron Milewski, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The State filed a complaint which alleged that Respondent prescribed phentermine to a patient without review of prior treatment records or approaches and continued to prescribe after the patient reported that the medication was not helping her lose weight. The Complaint also alleged that he prescribed controlled substances to a colleague without documenting a physical exam and continued to prescribe controlled substances to a patient who was addicted to Xanax and had a history of methadone use. This patient expressed a desire to wean off these drugs.

As a result, Respondent surrendered his DEA registration. Respondent's controlled substance license was subsequently placed on probation by the Indiana Board of Pharmacy.

After discussion, the Board moved to find Respondent in violation of Count I, violation of any state statute or rule, or federal statute or regulation, regulating practice of medicine.

Barai/McCann, 4/0/0
Motion carries

The Board moved to find Respondent in violation of Count II, violation of any state statute or rule, or federal statute or regulation, regulating practice of medicine.

Strobel/McCann, 4/0/0
Motion carries

The Board moved to not find Respondent in violation of Count III, unfit to practice due to failure to keep abreast of current professional theory or practice.

Barai/
Motion died for lack of second.

The Board moved to find Respondent in violation of Count III, unfit to practice due to failure to keep abreast of current professional theory or practice.

Strobel/McCann, 3/0/1 (Barai abstaining)
Motion carries

The Board moved to find Respondent in violation of Count IV, knowingly prescribing a narcotic or addicting drug to a habitue or addict.

McCann/Strobel, 4/0/0
Motion carries

In lieu of the Indiana Board of Pharmacy's discipline against his Controlled Substance Registration, the Board moved to issue a LETTER OF REPRIMAND.

Strobel/Barai, 4/0/0
Motion carries

The Board then moved to RENEW Respondent's license.

Barai/Strobel, 4/0/0
Motion carries

Paul Madison, M.D., License Number 01031628A, Cause Number 2016 MLB 0047

Respondent appeared in person, and by counsel, Guy DiMartino, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jessica Krug, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The State presented information that Respondent surrendered his DEA license and because his inability to prescribe controlled substances no longer represented a clear and immediate danger. The State then asked the Board to not extend the summary suspension.

After discussion, the Board moved to NOT EXTEND the summary suspension.

Barai/McCann, 4/0/0
Motion carries

James McGuckin, M.D., License Number 01064661A, Cause Number 2016 MLB 0031

Respondent did not appear in person but by counsel, Stephanie Eckerle, regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The parties presented a settlement agreement whereby Respondent's license would be placed on probation for a minimum of one with terms and conditions. The settlement was a resolution of a Complaint that alleged Respondent's Washington license was disciplined related to his performance of CCSVI procedures on MS patients between 2010 and 2013 and failure to disclose this on his license renewal.

One condition of probation is that he may not perform CCSVI procedures on MS patients.

After discussion, the Board moved APPROVE the SETTLEMENT placing Respondent's license on INDEFINITE PROBATION.

Barai/McCann, 4/0/0
Motion carries

Duane Miller, M.D., License Number 01027831A, Cause Number 2016 MLB 0041

Respondent appeared in person and by counsel, Mary Watts, regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The parties presented a settlement agreement whereby Respondent's license would be placed on probation for a minimum of two years with terms and conditions, including compliance with a physician assistance program contract. The settlement was a resolution of a Complaint that alleged Respondent relapsed on alcohol and was non-compliant with his previous physician assistance program contract.

After discussion, the Board moved APPROVE the SETTLEMENT placing Respondent's license on INDEFINITE PROBATION and imposed a FINE of \$250.

Barai/Strobel, 4/0/0
Motion carries

Steven Paschall, M.D., License Number 01030252A, Cause Number 2015 MLB 0018

Respondent appeared in person and with counsel, Elliott Pinkie, regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Amelia Hilliker, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Respondent filed a petition to withdraw probation from his license. Respondent indicated he was in compliance with his ISMA PAP contract and was currently working as a medical examiner and medical review officer. Respondent also presented letters of support for his petition.

After discussion, the Board moved to WITHDRAW Respondent from probation.

Barai/McCann, 4/0/0
Motion carries

Jose Ramos, M.D., License Number 01070974A, Cause Number 2016 MLB 0039

Respondent did not appear in person, but by counsel, J. Richard Kiefer, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Stacy Oliver, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

The parties presented an agreement to extend the summary suspension of Respondent's license for an additional ninety (90) days.

After discussion, the Board moved to APPROVE the SETTLEMENT AGREEMENT and EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Barai/McCann, 4/0/0
Motion carries

Jon Shull, M.D., License Number 01064025A, Cause Number 2016 MLB 0003

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

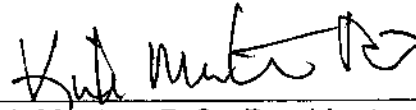
Participating Board Members: Kirk Masten, D.O., Bharat Barai, M.D., John Strobel, M.D., Victoria McCann

Respondent's license was previously placed on summary suspension due to pending criminal charges of child molesting. The State presented that Respondent had been convicted of child molesting. The State then presented an agreement with Respondent whereby his license would be summarily suspended until the resolution of a Complaint filed in this matter.

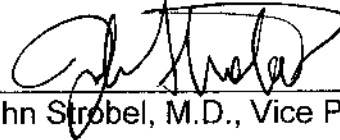
After discussion, the Board moved to APPROVE the SETTLEMENT AGREEMENT and SUMMARILY SUSPEND Respondent's license until the resolution of a Complaint in this matter.

Barai/McCann, 4/0/0
Motion carries

There being no further business the meeting adjourned at 4:15 p.m.

A handwritten signature in black ink, appearing to read "Kirk Masten", written over a horizontal line.

Kirk Masten, D.O., President

A handwritten signature in black ink, appearing to read "John Strobel", written over a horizontal line.

John Strobel, M.D., Vice President