

MEDICAL LICENSING BOARD OF INDIANA
Met THROUGH VIDEO and AUDIO CONFERENCING

Option 1 - JOIN via VIDEO CONFERENCING by visiting:
<https://IndianaEnhanced.Webex.com/join/PLAWebex>

Option 2- JOIN via AUDIO CONFERENCING by dialing:
(240) 454-0887 and entering meeting room # 610 915 440

MINUTES OF JUNE 25, 2020

John Strobel, M.D., President, called the meeting to order at 9:10 a.m. and declared a quorum in accordance with IC 25-22.5, pursuant to public notice posted on line at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present by Telephone: John Strobel, M.D., President
Kirk Masten, D.O., Vice President
Victoria McCann, J.D., Secretary (arrived 9:40a.m.)
Bharat Barai, M.D., Member
Michael Busk, M.D., Member
Rebecca Mueller, M.D., Member

Staff Present by Telephone: Michael Minglin, J.D., Deputy Director, Chief Counsel
Professional Licensing Agency
Jody Edens, Assistant Director
Professional Licensing Agency
Brian Park, J.D. Deputy Attorney General
Office of the Attorney General

The Board voted by roll call to adopt the agenda.

Barai/Mueller, 5/0/0
Motion carries

The following board members voted aye by roll call:
Rebecca Mueller, Kirk Masten, John Strobel, Bharat Barai, Michael Busk
The following board members voted nay: none
The following board members abstained: none

FULL BOARD APPEARANCES

The following did not appear for their scheduled full board appearance(s):

- **Magdy El-Sayed Ahmed, M.D. – USMLE Three (3) Attempts Waiver Request**

- **Faisal Siddiqui, M.D. – USMLE Ten (10) Year Rule Waiver Request**

Maria Fariduddin, M.D. – Foreign Medical School Waiver:

Dr. Fariduddin appeared telephonically and was not represented by counsel, regarding a foreign medical school waiver.

She received her MBBS degree from Santhram Medical College in Nandyal, Kurnool district in the state of Andhra Pradesh in India. The school opened in 2005 and she joined the medical school in 2007 and graduated in 2013. She did one (1) year of compulsory rotating internship at Gandhi General Hospital in Hyderabad, Indian from 2012 – 2013 as part of her medical school training. She took the USMLE exams after that and after verification of her medical school credentials by ECFMG. She matched to State University of New York – Upstate Medical University’s internal medicine residence program in 2016 and completed it in 2019.

The school is recognized on the California foreign medical school website:

- Graduates (ECFMG) or one of the ECFMG authorized foreign medical school accreditation agencies and deemed to meet the minimum requirements substantially equivalent to the requirements of medical schools accredited by the Liaison Committee on Medical Education, the Committee on Accreditation of Canadian Medical Schools, or the Commission on Osteopathic College Accreditation.

The foreign medical school is listed on the World Federation for Medical Education (WFME) and the Foundation for Advancement of International Medical Education and Research (FAIMER) World Directory of Medical Schools joint directory, or the World Directory of Medical Schools; or World Directory of Medical Schools.

Dr. Fariduddin’s medical school is on the World Director of Medical Schools.

After discussion, the Board voted by roll call to APPROVE Dr. Fariduddin’s WAIVER request, therefore approving her initial application based upon the following findings.

- Medical School approved through World Director of Medical Schools on the CA approved medical schools website.
- Medical School is approved by ECFMG.

Barai/Mueller, 5/0/0
Motion carries

The following board members voted aye by roll call:
Kirk Masten, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller
The following board members objected: none
The following board members abstained: none

Fabiola Aguilera Galviz, M.D. – Foreign Medical School Waiver:

Dr. Galviz appeared telephonically and was not represented by counsel regarding a foreign medical school waiver.

She attended medical school for seven (7) years in Bolivia and graduated with Honors.

She is ECFMG certified and has a KY medical license.

She completed two (2) years of residency in general surgery in New York. She is eligible to take general surgery Boards.

She wants to do hand surgery at Kleinert Hand Surgery Center in Kentucky. She needs both her Indiana and Kentucky license. During her training in Indiana she will be supervised by trained and licensed hand surgeon in teaching institutions.

Reference letters were received from:

- Susan Chung, M.D., Ph.D., ABPS Board Certified in Plastic Surgery, Chief of Plastic and Reconstructive Surgery, Department of Surgery, BronxCare Health System.
- William Lois, M.D., Chairman of Surgery, Department of Surgery, BronxCare Health System
- Ajay K. Shah, M.D., FACS, Program Director, Department of Surgery, BronxCare Health System.

After discussion, the Board voted by roll call to APPROVE Dr. Galviz's WAIVER request, therefore approving her initial application based upon the following findings.

- Active license in Kentucky
- Three (3) letters of recommendation
- Two (2) years residency in New York
- ECFMG certified

Barai/Mueller, 5/0/0
Motion carries

The following board members voted aye by roll call:
Kirk Masten, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller
The following board members objected: none
The following board members abstained: none

ADMINISTRATIVE HEARINGS

Michael Shoemaker, M.D., License No. 01031183A, Cause No. 2020 MLB 0008

Respondent did not appear telephonically or in person and was represented by counsel, Lou Voelker regarding a Proposed Settlement Agreement scheduled before the Board.

The State of Indiana was represented by Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board for review. The proposed settlement agreement included RETIREMENT of the Respondent's license.

After reviewing the proposed settlement agreement, having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the Settlement Agreement ONLY if it is reportable to the NPDB.

Barai/McCann, 5/0/1, with Dr. Masten abstaining
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller
The following board members objected: none
The following board members abstained: Kirk Masten

Ossama F., Abdellatif, M.D., License No. 01063982A, Cause No. 2019 MLB 0025

Respondent did not appear telephonically or in person and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington 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 for review. The proposed settlement agreement included a SUMMARY SUSPENSION EXTENSION for ninety (90) days.

After reviewing the proposed settlement agreement, having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the Settlement Agreement.

McCann/Barai, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

Vinson DiSanto, D.O., License No. 02001789A, Cause No. 2019 MLB 0026

Respondent did not appear telephonically or in person and was not represented by counsel regarding a Summary Suspension Extension 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, Margie Addington 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 for review. The proposed settlement agreement included a SUMMARY SUSPENSION EXTENSION for ninety (90) days.

After reviewing the proposed settlement agreement, having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the Settlement Agreement.

Barai/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten

The following board members objected: none

The following board members abstained: none

Benjamin Loveridge, M.D., License No. 01066134A, Cause No. 2019 MLB 0014

Respondent did not appear telephonically or in person and was not represented by counsel regarding a Summary Suspension Extension 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, Margie Addington 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 for review. The proposed settlement agreement included a SUMMARY SUSPENSION EXTENSION for ninety (90) days.

After reviewing the proposed settlement agreement, having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the Settlement Agreement.

Barai/Muller, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten

The following board members objected: none

The following board members abstained: none

Erick A. Falconer, M.D., License No. 01080938A, Cause No. 2018 MLB 0027

Respondent appeared telephonically and was represented by counsel, Jennifer Lukemeyer regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Alyssa Servies, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Dr. Falconer practices at the New Castle Correction facility. He stated that he wants to take the certification boards and can't while on probation. His CSR is currently active and he will meet with the DEA tomorrow to get his DEA back.

His Missouri, Illinois and Arizona licenses were revoked back in 2014 based upon federal charges. His Florida license was placed on suspension. These actions were all based upon making a false statement to a Federal Agent regarding misbranding of a drug – Botox which resulted in a Federal Felony conviction.

He indicated he wants to do Emergency Medicine or stay with Correctional Medicine.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to WITHDRAW the Order of Probation.

Barai/Strobel, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten

The following board members objected: none

The following board members abstained: none

Kurt W. Froehlich, M.D., License No. 01044834A, Cause No. 2015 MLB 0049

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Reinstate License 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

Sanford Osher was sworn in as a witness for the Respondent.

Dr. Froehlich's Ohio license was permanently revoked back in 2015 based upon a One (1) million dollar settlement after his patient died.

His Indiana license has been on suspension since 2016 based upon the facts from Ohio.

He completed a clinical competency examination through KStar and the evaluation was presented to the Board for review. He was also evaluated by Dr. Moe in December 2019.

He has completed ten (10) hour of CE on boundaries from the Professional Boundaries Institute.

He sees his counselor every other month.

He state his goal is to get back into the practice of OB/GYN and will have a chaperone at all visits. The point was made that he had chaperones when the incident happened.

The last few years he has been working in a manufacturing plant.

Mr. Osher testified that he supervised Dr. Froehlich in his residency program. He was easy to talk with and his patients adored him. He has not supervised him since his residency program.

After discussion, Dr. Froehlich requested to withdraw his request for reinstatement.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE Dr. Froehlich's request to WITHDRAW his request for reinstatement.

Barai/Mueller, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten

The following board members objected: none

The following board members abstained: none

David A. Hall, M.D., License No. 01025672A, Cause No. 2016 MLB 0017

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Withdraw Probation 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

In August 2017 the Respondent's license was suspended for allowing staff to use pre-signed prescriptions. The prescriptions were given to patients that had never been seen and evaluated. He had this same issue back in 2010.

Dr. Hall told the Board he is now doing swallow studies around the state. He sees nursing home patients that the Speech Language Pathologist recommends.

He has had one (1) year of active medical practice. He has been with Midwest Dysphagia Consultants since September 2018. He doesn't need or want a CSR or DEA. He enjoys what he is doing and wants to stay with this company.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to WITHDRAW the order of Probation from Dr. Hall's license.

Barai/McCann, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

Barry S. Ring, M.D., License No. 01061861A, Cause No. 20189 MLB 0003

Respondent did not appear telephonically or in person and was represented by counsel, Derek Peterson regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Alyssa Servies, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Benard Henry was sworn in as a witness for the Respondent.

Mr. Henry testified that he was Dr. Ring's attorney that handled all his legal matters in Illinois. Dr. Ring's medical license is currently on a consent order, which includes probation for five (5) years and reporting requirements. He is able to practice in Illinois should he wish to.

He has completed his CE requirement in his Indiana order. He want to be able to take his specialty boards and is unable to do so while on probation. He stated he has completed all the requirements in his Indiana probation order.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to WITHDRAW the order of Probation from Dr. Ring's license.

Barai/Mueller, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

Richard Cristea, M.D., License No. 01037934A, Cause No. 2020 MLB 0002

Respondent did not appear telephonically or in person and was represented by counsel, Matthew Schappa regarding a Final Hearing scheduled before the Board. The

State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The proposed settlement agreement included a LETTER OF REPRIMAND with CE requirements.

After reviewing the proposed settlement agreement, having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the proposed settlement agreement

Barai/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

Elena Cherniavski, M.D., License No. 01070852A, Cause No. 2019 MLB 0041

Respondent did not appeared telephonically or in person and was represented by counsel, Barclay Wong regarding a Notice of Proposed Default 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

State requests that the Board set aside the notice of proposed default so that he may work with counsel and the Respondent on a settlement agreement.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to SET ASIDE the Notice of Proposed Default and rest for hearing.

Barai/Strobel, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

PERSONAL APPEARANCES

Colin Smith, D.O. – Reappearance on Initial Application:

Dr. Smith appeared telephonically before the Board and was represented by counsel, Mike Roth regarding a positive response on his initial application.

Dr. Smith appeared last month and the Board tabled his application for additional documentation.

Dr. Smith indicated he went to Rehabilitation due to alcohol abuse when he was 19 years old. He was in the service at that time. He was discharged shortly thereafter.

His discharge papers were presented to the Board to review. While the discharge papers indicate he received an Honorable Discharge, they also indicate “Narrative Reason for Separation” as Drug Rehabilitation Failure.

Dr. Colin indicated he seems to remember now that he was involved with some other Army buddies and something about a robbery. He says he can’t remember what happened.

After discussion, the Board voted by roll call to APPROVE his initial application PENDING a PAP evaluation with ISMA. Dr. Strobel will review the evaluation once it has been submitted.

Strobel/Masten, 6/0/0

Motion carries

The following board members voted aye by roll call:

Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten

The following board members objected: none

The following board members abstained: none

Ekanga Petters, M.D., Initial Application:

Dr. Petters appeared telephonically before the Board and was not represented by counsel regarding a positive response on his initial application.

He indicated that he was in the middle of a messy divorce last year when he was arrested for disturbing the peace. The charge was dropped due to no evidence.

His ex-wife was bitter about the divorce and filed false charges against him indicating that he gave their daughter alcohol. CPS investigated this matter and it was closed.

After discussion, the Board voted by roll call to APPROVE Dr. Petters initial application.

Barai/Mueller, 6/0/0

Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

James Patrick, M.D., License No. 01036177A Request to Reinstate License:

Dr. Patrick appeared virtually before the Board and was not represented by counsel regarding his request to reinstate his medical license.

He has practice in North Carolina from 1995 to 2019. The last time he saw a patient was in January 2019 in North Carolina.

He would like to practice with the VA Hospital.

After discussion, the Board voted by roll call to APPROVE his Renewal Reinstatement Application.

Barai/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

APPLICATION REVIEW

Navari Student Outreach Clinic – Application of Indiana Healthcare Volunteer Registry:
Following review of the information, the Board voted by roll call to APPROVE Navari Student Outreach Clinic pending review and approval of the actual application by Dr. Strobel.

Strobel/Barai, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

Genetic Counselor CE Waiver Requests:

The following Genetic Counselor's requested a waiver of the 50 hours of CE as they were just recently issued a full license and due to covid-19.

- Danielle Gelb, G.C.
- Casey McKenna, G.C.
- Megan Kalfaus, G.C.
- Lindsay Meyers, G.C.

Following discussion the Board voted by roll call to APPROVE all the requested CE Waivers.

Strobel/Barai, 5/0/0
Motion carries

The following board members voted aye by roll call:
John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

Thomas Petry, M.D., Non-compliant with ISMA (PAP) contract:

The Board received and review a letter from Candace Backer, ISMA that indicated that Dr. Petry has been discharged from the program for non-compliance.

In his letter to ISMA Dr. Petry mentions that he wants to retire his medical license, but at this time he has not contacted the Board to retire it.

After discussion, the Board voted by roll call to FILE a COMPLAINT with the Attorney General's Office.

Barai/Busk, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller, Kirk Masten
The following board members objected: none
The following board members abstained: none

Guangyuan Li, M.D. – review of waiver report – FYI

Fnu Jaydev, M.D., License No. 01081522A:

Dr. Jaydev's license renewal was denied by the Board during their December 2019 meeting for not having the appropriate USCIS documentation to renew his license.

Staff found that Dr. Jaydey did have the appropriate documentation and his license was renewed.

The documentation submitted to the Board for review back in December 2019 was for

another physician, not Dr. Jaydev's. Staff is requesting that the Board revise the Board's minutes from the December 2019 meeting to take Dr. Jaydev's name off the denial list.

After discussion, the Board voted by roll call to TABLE this matter until the July meeting to allow Mr. Park to do some research on how best to handle this matter.

Barai/Busk, 5/0/1, with Dr. Masten abstaining Kirk Masten
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller

The following board members objected: none

The following board members abstained: Kirk Masten

There being no further business the Board adjourned at 3:19 p.m.