

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

MINUTES OF AUGUST 23, 2018

John Strobel, M.D., President, called the meeting to order at 8:35 a.m. A quorum was declared in accordance with IC 25-22.5.

Members Present: John Strobel, M.D., President
Victoria McCann, J.D., Secretary
Scott Green, M.D., Member
Bharat Barai, M.D., Member, arrived at 10:30 a.m.
Michael Busk, M.D., Member

Members Absent: Kirk Masten, D.O., Vice President
Rebecca Mueller, M.D., Member

Staff Present: Darren R. Covington, J.D., Board Director
Professional Licensing Agency
Kimberly A. Letko, Assistant 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: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Green/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

The Board voted to adopt the minutes of the July 26, 2018 meeting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Green/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

DISCUSSION

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D.,

Retirement/Surrender Requests

Joel Cornfield, M.D., 01073582A – Surrender

After discussion, the Board moved to APPROVE Dr. Cornfield's request to SURRENDER his Indiana Medical License.

McCann/Green, 5/0/0
Aye's: McCann, Strobel, Barai, Busk, Green
Motion carries

CPEP – Assessment and Education for Physicians and Other Healthcare Professionals Services Overview

The Board Director stated that Director of CPEP met with him last week and provided information regarding their available offerings to physicians. This program is for Healthcare providers that have been identified by the Board or by themselves as having the following issues:

- Professionalism/Ethics Issues
- Prescribing Controlled Substances and Chronic Pain Management Issues
- Peer Communication Issues
- Patient Communication Issues
- Documentation Issues
- Clinical Competence concerns or screening
- Absence from Practice
- Ongoing Monitoring

They have offices in Denver, Colorado and Charlotte, NC.

HEA 1245 Review

The Board reviewed a list of crimes for possible inclusion on a list of disqualifying crimes in an emergency rulemaking action pursuant to HEA 1245. The Board tabled their discussion until the September 2018 meeting.

FULL BOARD APPLICATION REVIEW

Sumit R. Chawla, M.D. – Unapproved Foreign Medical School

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Dr. Chawla is requesting a waiver of the approved medical school rule, due to receiving his degree from the University of Medicine and Health Sciences in St. Kitts. This foreign medical school is not currently listed on Indiana's approved or disapproved foreign medical school lists.

After discussion, the Board moved to schedule Dr. Chawla for a personal appearance at the September 27, 2018 Board meeting.

Busk/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

PERSONAL APPEARANCES

Alphonso B. Benton, M.D. – Positive response

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Dr. Benton contacted the Assistant Director via email the day before the Board meeting stating that he currently resides in California and would not be able to appear before the Board at this meeting.

After discussion the Board rescheduled his Board meeting for the September 27, 2018 Board meeting.

Robert Jason, D.O. – Positive response

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Dr. Jason answered yes to the following question on his application for licensure:

Except for minor traffic laws resulting in fines, and arrests or convictions that have been expunged by a court,

1. Have you ever been arrested?
3. Have you ever been convicted of any offense, misdemeanor, or felony in any state?
4. Have you ever pled guilty to any offense, misdemeanor, or felony in any state?

Dr. Jason was arrested and charged with two (2) misdemeanors in 2009 in Michigan for driving while impaired and public urination. Dr. Jason was also arrested and charged with buying alcohol for a minor in 2010 and in 2014 Dr. Jason was arrested and charged with disorderly conduct.

Dr. Jason completed a two (2) day evaluation with Positive Sobriety, Inc. in Chicago, IL at the behest of the Indiana State Medical Association (ISMA). The results of the evaluation will not be available for another seven (7) days.

After discussion, the Board moved to APPROVE Dr. Jason's application for licensure pending the results of the evaluation or, if necessary, a possible contract with ISMA.

Strobel/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Mukund Komanduri, M.D. – Positive response

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Dr. Komanduri answered yes to the following question on his application for licensure:

8. Have you ever had a malpractice judgment against you or settled any malpractice action?

Dr. Komanduri's Illinois malpractice settlements are listed below.

10/26/1999 – Improper management of course of treatment – Settlement: \$300,000.00
1/28/2000 – Improper performance of surgery – Settlement: \$110,000.00
5/14/2001 – Improper management of surgical patient – Settlement: \$240,000.00
7/21/2017 – Improper performance – Settlement: \$600,000.00
8/16/2017 – Improper performance – Settlement: \$300,000.00
9/28/2017 – Improper performance – Unnecessary procedure – Settlement: \$40,000.00

After initial review by Dr. Strobel, Dr. Strobel felt a personal appearance was necessary due to Dr. Komanduri's several malpractice cases, in order for the full Board to review and discuss with Dr. Komanduri the nature of the malpractice settlements.

Dr. Komanduri holds a full, unrestricted license in Illinois, Minnesota and Wisconsin.

After discussion, the Board moved to APPROVE Dr. Komanduri's application for LICENSURE in the State of Indiana.

Busk/Strobel, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Douglas H. Lindsey, M.D. – Positive response

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Dr. Lindsey answered yes to the following questions on his application:

1. Has disciplinary action ever been taken regarding any health license, certificate, registration or permit you hold or have held?
6. Have you ever been denied staff membership or privileges in any hospital or health care facility or had such membership or privileges revoked, suspended or subjected to any restrictions, probation or other type of discipline or limitations?
8. Have you ever had a malpractice judgment against you or settled any malpractice action?

Dr. Lindsey was issued a one thousand (\$1,000.00) dollar fine by the Michigan Medical Board, due to charting issues, and completed continuing medical education through the Cleveland Clinic.

Dr. Lindsey resigned from the Munson Healthcare Cadillac Mercy Hospital on December 23, 2003 due to the revocation of his privileges to perform aortic surgery and chest surgery.

Dr. Lindsey also had six (6) malpractice settlements from 1992 through 2011.

Dr. Lindsey stated that although he retired from clinical practice in April of 2018, he plans to work in a locum tenens capacity.

After discussion, the Board moved to GRANT Dr. Lindsey LICENSURE in the State of Indiana.

Green/Strobel, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Jendayi L. Olabisi, M.D. – Positive response

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Dr. Olabisi answered yes to the following question on her application for licensure:

12. Were any limitations or special requirements imposed on you because of academic performance, incompetence, disciplinary problems or any other reason during your medical education or post graduate training / residency program?

Dr. Olabisi is completing her second year of post-graduate training at the Community Health Network as a Psychiatry Resident.

Dr. Olabisi appeared with her program Director, Anne Cunningham and the Chief Executive Officer, Kathy Zoppi.

Dr. Olabisi was placed on a 60 day corrective plan as of April 17th, 2018 to address concerns regarding professionalism and communication as it relates to timeliness, communication within a large interdisciplinary team, and support of colleagues regarding client care needs. Her corrective plan will be completed on October 17, 2018.

Dr. Olabisi's program director, Ms. Cunningham stated that Dr. Olabisi has been compliant with the corrective plan and has not had any additional issues arise since the plan was implemented.

After discussion, the Board moved to APPROVE Dr. Olabisi's APPLICATION for LICENSURE.

Green/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Lindita Coku, M.D. – Waiver – USMLE 3 Attempt rule

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Dr. Coku appeared before the Board with her employer representative from Reid Health, Scott Crank and Misty Nash, Director of Credentialing at Reid Health, requesting a waiver of the USMLE three (3) attempt rule, as she passed the USMLE Step 3 after five (5) attempts.

Dr. Coku has entered into a contract with Reid Health to join Reid Physician Associates, Inc. as a full-time Cardiothoracic Surgeon. Dr. Coku has signed a three year employment contract practicing in an underserved area.

Dr. Coku also submitted three letters of recommendation from John F. Kuhn, M.D., Reid Health Cardiothoracic Medical Director; Robert Poston, M.D., Thoracic Surgery Residency Supervisor, Reid Health; Tracy Ferris, Operation Manager, Reid Heart & Vascular Center.

Dr. Coku has full medical licenses in New York, Massachusetts, California, Wisconsin and New Mexico, and is Board eligible having already passed her Board specialties.

Dr. Coku's employer has agreed to submit annual reports to the Board regarding Dr. Coku's employment progress.

After discussion, the Board moved to APPROVE Dr. Coku's WAIVER for LICENSURE in the State of Indiana.

McCann/Busk, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

ADMINISTRATIVE HEARINGS

Felix Brizuela, D.O., License No. 02004840A, Cause No. 2018 MLB 0014

Respondent failed to appear in person or with counsel, regarding an Extension of Summary Suspension 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 was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

The State requested that the Board extend Respondent's summary suspension. Respondent's trial is set for January 7, 2019.

State Exhibits:

Exhibit B: Order Following Status Conference and Amending Complex Case Schedule

After discussion, the Board moved to EXTEND the SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

Green/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Donald Cline, M.D., License No. 01020417A, Cause No. 2018 MLB 0021

Respondent failed to appear in person but was represented by counsel, Peter Pogue, regarding a Disciplinary Hearing and Respondent's Petition to Voluntarily Surrender License scheduled before the Board. The State of Indiana was represented by Laura Iosue, Supervising Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Respondent has requested to surrender his license. Respondent no longer practices medicine and has not since 2009. The State does not object to Respondent's Motion to Surrender.

After discussion, the Board moved to GRANT Surrender with the condition that he may not apply for reinstatement.

Green/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Kendal Freeman, M.D., License No. 01035910A, Cause No. 2015 MLB 0015

Respondent failed to appear in person or with counsel, regarding a Summary Suspension scheduled before the Board. The State of Indiana was represented by Roxanne Hilton, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

The State requested that the Board suspend Respondent's license due his license revocation in Michigan for prescribing issues and illicit drug issues.

State Exhibits:

A: Final Order from State of Michigan

After discussion, the Board moved to APPROVE the SUMMARY SUSPENSION.

McCann/Busk, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

William Perry Hedrick, M.D., License No. 01053048A, Cause No. 2014 MLB 0050

Respondent failed to appear in person or with counsel, regarding a Joint Motion to Withdraw and Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jessica Krug, Supervising Deputy Attorney General. The court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

The State requested that the Board grant the State and Respondent's joint motion to withdraw the Extension of Respondent's summary suspension to allow the original summary suspension to remain in effect.

After discussion, the Board moved to GRANT the MOTION TO WITHDRAW EXTENSION of SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

Green/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Jay Joshi, M.D., License No. 01074818A, Cause No. 2018 MLB 0005

Respondent failed to appear in person or with counsel, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Zanna Claire Dyer, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Both parties agreed to a voluntary suspension extension agreement, presented to the Board by the State. Respondent is currently scheduled for sentencing for November 15, 2018.

After discussion, the Board moved to APPROVE the AGREEMENT GRANTING an EXTENSION of the SUMMARY SUSPENSION for an additional ONE HUNDRED AND FIVE (105) DAYS.

McCann/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Sheldon Levine, D.O., License No. 02000346A, Cause No. 2018 MLB 0023

Respondent failed to appear in person and was not represented by counsel, regarding a Final Hearing 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 was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Respondent is currently in a long term care facility. The State requested that the Board issue a Notice of Proposed Default.

After discussion, the board moved to ISSUE a NOTICE of PROPOSED DEFAULT.

McCann/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Michael Love, M.D., License No. 01048505A, Cause No. 2016 MLB 0046

Respondent failed to appear in person or with counsel, 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: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

The State presented a proposed agreement, to which both parties have agreed, to extend Respondent's summary suspension for an additional ninety (90) days.

After discussion, the Board moved to APPROVE the AGREEMENT GRANTING an EXTENSION of the SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

McCann/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Marios Papachristou, M.D., License No. 01076623A, Cause No. 2018 MLB 0031

Respondent failed to appear in person or with counsel, regarding a Petition for Summary Suspension 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 was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

The State requests that the Board Summarily Suspend Respondent's license for 90 days due to the fact that Respondent's license in Pennsylvania has been temporarily suspended as well as multiple other States for being charged with forty-six (46) counts unlawful dispensing and distribution of Schedule II controlled substances by the U.S. District Court for the Western District of Pennsylvania. Respondent's court hearing scheduled in October of 2018.

States Exhibits:

- A: Allegations and charges of Respondent in Pennsylvania
- B: Information Memorandum from Pennsylvania
- C: Letter from U.S. Attorney in Pennsylvania to Respondent
- D: Respondent's guilty plea
- E: Court sentencing hearing
- F: Virginia license suspension, Pennsylvania temporary suspension, Pennsylvania police complaint.

After discussion, the Board moved to SUMMARILY SUSPEND Respondent's LICENSE for NINETY (90) DAYS.

Busk/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

James Ranochak, M.D., License No. 01026732A, Cause No. 2017 MLB 0028

Respondent failed to appear in person but with counsel, Robert Saint, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jessica Krug, Supervising Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

The State presented a proposed agreement, to which both parties have agreed, to extend Respondent's summary suspension for an additional ninety (90) days.

After discussion, the Board moved to APPROVE the AGREEMENT GRANTING an EXTENSION of the SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

McCann/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Kevin Ronan, M.D., License No. 01051528A, Cause No. 2008 MLB 0034

Respondent appeared in person and with counsel, John F. Ittenbach, regarding a Petition to Withdraw Probation 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 was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Respondent requested withdraw of his probation, originally placed by the Board due to discipline in California that included Respondent's license being placed on probation by the California Board due to prescribing issues. The Board stipulated that Respondent could petition for withdraw of probation once his California probation was lifted.

Respondent has complied with all terms and conditions of the probation order, which was based on Respondent complying with California's probation order. Respondent has complied with California probation order and the probation has been lifted in California. Respondent's California license has been restored to free and clear.

Respondent currently serves in an underserved area of California and does not plan to work in Indiana.

After discussion, the Board moved to GRANT Respondent's PETITION to WITHDRAW PROBATION.

Green/McCann, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

Gregory Smith, M.D., License No. 01035910A, Cause No. 2015 MLB 0015

Respondent failed to appear in person or with counsel, regarding an Order to Show Cause 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 was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

Respondent's Indiana license has expired and he has voluntarily discontinued monitoring with ISMA PAP in January of 2018.

Respondent sent a letter on August 1, 2018 stating that he requests to surrender his license.

State requests that the Board issue a Notice of Proposed Default.

After discussion, the Board moved to ISSUE a NOTICE of PROPOSED DEFAULT.

McCann/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

John Sturman, M.D., License No. 01064902A, Cause No. 2012 MLB 0031

Respondent appeared in person and with counsel, Gillian DePrez Keiffner, regarding the State's Motion to Reconsider and Respondent's Objection & Response scheduled before the Board. The State of Indiana was represented by Jessica Krug, Supervising Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Bharat Barai, M.D., Michael Busk, M.D.

The State objects to last Respondent's Hearing Order Modification which allowed Respondent to prescribe controlled substances. State asks that Board reconsider the modification and reinstate the original final order.

After discussion, the Board moved to DENY the State's motion to reconsider.

Green/Barai, 3/2/0
Ayes: Barai, Green, Strobel
Nays: Busk, McCann
Motion carries

Brett Wills, D.O., License No. 02004139A, Cause No. 2017 MLB 0023

Respondent failed to appear in person but was represented by counsel, John F. Ittenbach, regarding an Extension of Summary Suspension 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 was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D.

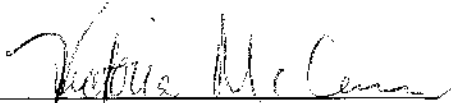
The State presented a proposed agreement, to which both parties have agreed, to extend Respondent's summary suspension for an additional ninety (90) days.

After discussion, the Board moved to APPROVE the AGREEMENT GRANTING an EXTENSION of the SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

McCann/Green, 4/0/0
Aye's: McCann, Strobel, Busk, Green
Motion carries

There being no further business, the meeting adjourned at 8:30 p.m.

John Strobel, M.D., President


Victoria McCann, J.D., Secretary