

## IOWA BOARD OF MEDICINE 2015 ANNUAL REPORT



#### ABOUT THE BOARD

The 21st General Assembly created the State Board of Medical Examiners in 1886 to license physicians and regulate the practice of medicine. Initially, the Board issued licenses to several classes of physicians, including medical (M.D.), homeopath and eclectic.

The Board did not issue licenses for osteopathic physicians until 1902. In 1921, the Legislature created a separate board to license and regulate osteopaths. In 1963, the Legislature abolished the osteopathic board and redefined the State Board of Medical Examiners, making it a composite board to license allopathic physicians (M.D.s) and osteopathic physicians (D.O.s). In 2007, the board was renamed the Board of Medicine.

Since 1994, the Board has registered, licensed and regulated acupuncturists. Over the past 130 years, the Board has directly or indirectly been responsible for licensure or regulation of other health care providers, including nurses, advanced emergency medical technicians, paramedics, and physician assistants. All of these professions are now licensed and regulated by their own boards.

In 1996, the Legislature authorized the Board to establish the Iowa Physician Health Committee, which administers a program to advocate for and monitor the recovery and rehabilitation of impaired physicians.

In 2015, the Legislature authorized the Board to join the Interstate Medical Licensure Compact, which establishes an expedited process for medical licensure in participating states.

Non-physician "public" members have been on the 10-member Board since 1975.



IOWA BOARD OF MEDICINE 400 SW Eighth Street, Suite C Des Moines, Iowa 50309-4686

HOURS: 8 a.m. to 4:30 p.m., Monday

through Friday

PHONE: (515) 281-5171 FAX: (515) 242-5908 EMAIL: ibm@iowa.gov

WEB: www.medicalboard.iowa.gov

The Board regulates the practices of medicine and surgery and acupuncture under the authority of lowa Code chapters 17A, 272C, 147, 147B, 148, 148E and Section 653 in the lowa Administrative Code.

The Board is charged with enforcing these laws and rules to protect the public from licensees who do not practice medicine and acupuncture within prevailing and acceptable standards of care.

The Board is an Executive Branch agency within the Iowa Department of Public Health. The Board is funded entirely with licensure fees.

#### **BOARD MEMBERS**



MEMBERS OF THE BOARD OF MEDICINE, MAY 1, 2015, TO APRIL 30, 2016: (front row from left): Allison Schoenfelder, M.D., Akron; Diane Clark, Lake Mills; Diane Cortese, Urbandale; Julie Carmody, M.D., Clive; and Mary Jo Romanco, Pleasantville. (Back row from left): Charles Wadle, D.O., West Des Moines; Kyle Ulveling, M.D., Carroll; Hamed Tewfik, M.D., Iowa City; and Ronald Cheney, D.O., Carroll.

The 10-member Board of Medicine is composed of seven physicians (five M.D.s and two D.O.s) and three non-physicians who represent the public. Members are appointed by the Governor and confirmed by a two-thirds' majority vote in the lowa Senate for a full three-year term or to complete the unexpired term of a member who resigned. Members can serve up to nine years. Members receive a per diem and expenses. The Board annually elects a chairperson, vice chairperson, and secretary and is organized into four standing committees, each with five members: Executive, Licensure, Monitoring, and Screening.

2015 MEMBERS* & OFFICERS	<b>APPOINTED</b>	<b>TERM EXPIRES</b>
Hamed Tewfik, M.D., Iowa City, Chairman	2011, 2014	April 30, 2017
Allison Schoenfelder, M.D., Akron, Vice Chairman	2013	April 30, 2016
Ronald Cheney, D.O., Carroll, Secretary	2014	April 30, 2017
Julie Carmody, M.D., Clive	2013	April 30, 2016
Diane Cortese, Urbandale	2013	April 30, 2016
Diane Clark, Lake Mills	2011, 2014	April 30, 2017
Mary Jo Romanco, Pleasantville	2015	April 30, 2018
Kyle Ulveling, M.D., Carroll	2015	April 30, 2018
Charles Wadle, D.O., West Des Moines	2015	April 30, 2018

<sup>\*</sup> One position for a physician member on the Board has been vacant since June 2014 due to a resignation.

Physicians and non-physicians interested in serving on the board can complete an online application at <a href="https://openup.iowa.gov/">https://openup.iowa.gov/</a>

#### **EXECUTIVE DIRECTOR'S REPORT**

The Iowa Board of Medicine takes seriously its fundamental responsibility to serve the citizens of Iowa by ensuring that physicians and acupuncturists are qualified to practice and that they are adhering to the laws, rules and standards that regulate their practices.

#### In 2015, the Board:

- Administered active licenses for 11,971 physicians and 62 licensed acupuncturists.
- Received 712 complaints and mandatory reports and completed reviews or investigations of 734 case files.
- Took 60 public disciplinary actions and voted to issue 105 confidential letters of concerns about licensees' conduct or practice.
- Filed charges against 21 physicians and issued one public consent agreement.
- Assessed civil penalties totaling \$96,500 involving 28 cases.
- Initiated action to amend six administrative rules, including one to complement legislation that created a new administrative, non-clinical medical license.
- Held seven two-day administrative meetings, 11 teleconference meetings, and two disciplinary hearings.
- Continued a robust educational outreach program to the public and licensees, health care stakeholders, and state and federal government officials.
- Participated in training activities and regulatory discussions offered by the Federation of State Medical Boards and the Administrators in Medicine.
- Became the 10th member board of the newly created Interstate Medical Licensure
   Compact, which creates an expedited process for medical licensure.

The Board places great emphasis on completing timely, fair and complete investigations that result in appropriate action. Concurrently, the Board provides assistance and guidance to licensees through the adoption of rules and regular communications on disciplinary actions and a variety of issues relating to their practices.

In addition, the Board remains a strong supporter of the Iowa Physician Health Program, which facilitates the intervention and rehabilitation of physicians who have mental, physical or chemical dependency issues that, if left untreated or not monitored, could impair their ability to practice safely.

All programs and activities of the Board are funded solely by fees paid by licensees.

This brief report is a statistical tabulation of the Board's work during 2015. Behind these numbers are the hard work of a devoted and professional staff and the exceptional public service of dedicated Board members.

The Board has a long history of transparency regarding its licensure, disciplinary and regulatory work, making all public documents easily available on the Board's website. In addition, the agency has provided annual reports such as this one for several decades. Do you want to know more about the Board? Please visit us online at <a href="https://www.medicalboard.iowa.gov">www.medicalboard.iowa.gov</a> or contact me.

APRIL 1, 2016

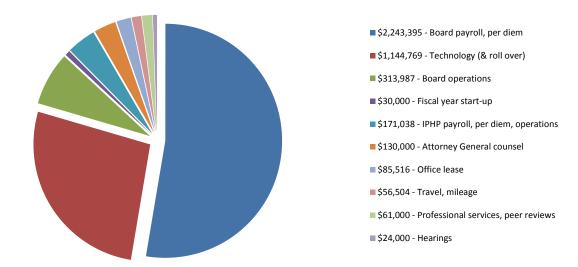
MARK E. BOWDEN, M.P.A.

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EXECUTIVE DIRECTOR, IOWA BOARD OF MEDICINE

mark.bowden@iowa.gov | OFFICE: 515-242-3268 | CELL: 515-494-8344

#### FY2016 EXPENSE BUDGET



BOARD OF MEDICINE'S EXPENSE BUDGET FOR FISCAL YEAR 2016 (JULY 1, 2015, THROUGH JUNE 30, 2016): \$4,260,709. The FY2016 expense budget includes roll-over funds for operations and to cover one-time expenses to fund the Board's database and technology upgrades. The Board's anticipated revenue from licensure fees in FY2016 is \$3,012,885. The Board is funded entirely with licensure fees, which have not been increased since FY2007. In FY2014, the Board voted to reduce licensure fees.

#### 2015 MEETING SCHEDULE

#### **MEETINGS**

February 5-6

April 2-3

May 14-15

July 9-10

August 27-28

October 8-9

December 10-11

#### **TELECONFERENCES**

January 15

February 19

March 5

March 26

June 25 (2)

June 29

August 13

September 17

October 22

November 12



#### Acupuncturists (L.Ac.) Iowa Physician Health Program

- Iowa Prescription Monitoring Program

Physicians (M.D. and D.O.)

 Find a physician · Find an acupuncturist Other health site links

File a complaint

- · Orders and press releases AGENDAS, MINUTES, REPORT Consumer information

#### PROTECTING IOWANS' HEALTH Rules laws and policies

and staff

#### On the Board's website, www.medicalboard.iowa.gov

- Agendas, minutes of all meetings in the past 6 years
- Profiles on all Iowa-licensed physicians, acupuncturists
- Forms for online filing of complaints with the Board
- Regulatory information for licensees, applicants
- **Annual reports since 1978**
- Press releases, documents on all public orders

To receive Press Releases, Agenda and other Board news, sign up at join-IABMPRESSRELEASE@lists.ia.gov.

#### ADMINISTRATIVE RULES

The Board of Medicine's administrative rules, which have the weight of law, are found in Section 653 of the Iowa Administrative Code. Before the Board can adopt a new rule or amend an existing rule, the intended action item must be published in the Administrative Bulletin and reviewed at a public hearing. The proposed change can also be subject to review by the Administrative Rules Review Committee. In addition, the public can petition the Board to adopt, amend or repeal an administrative rule.

#### Amendments noticed by the Board in 2015:

- CHAPTER 9, PERMANENT PHYSICIAN LICENSURE ARC2203C. The amendment implement 2015 lowa Acts, Senate File 276, which deems an inactive medical license relinquished if the licensee fails to apply for renewal or reinstatement of the license within five years after its expiration. NOTICED 08/28/2015; ADOPTED 12/10/2015; EFFECTIVE 02/10/2016
- CHAPTER 9, PERMANENT PHYSICIAN LICENSURE ARC2360C. The amendments update language and rescind outdated rules. NOTICED 12/10/2015
- CHAPTER 9, PERMANENT PHYSICIAN LICENSURE, AND CHAPTER 11, CONTINUING EDUCATION AND TRAINING REQUIREMENTS ARC2359C. The amendments implement 2015 lowa Acts, Senate File 276, which creates a license for the administrative, non-clinical practice medicine. NOTICED 12/10/015
- CHAPTER 13, STANDARDS OF PRACTICE AND PRINCIPLES OF MEDICAL ETHICS ARC 2249C. This amendment implements 2015 lowa Acts, Senate File 462, which allows physicians to write prescriptions for authorized facilities, including public schools, to stock an epinephrine auto-injector supply for use by trained non-healthcare personnel for individuals at risk of anaphylaxis. NOTICED 10/16/2015; ADOPTED 01/14/2016; EFFECTIVE 03/09/2016
- CHAPTER 17, LICENSE OF ACUPUNCTURISTS ARC2298C. This amendment updates licensure definitions; requirements for licensure, renewal and reinstatement; requirements for the display, distribution and retention of the patient information disclosure sheet; requirements for reporting of any change in the name of a licensee; recognizes the delegation of certain acupuncture-related responsibilities; and updates administration of the licensee file by the Board. NOTICED 10/16/2015 On December 10, 2015, the Board terminated the rulemaking for ARC2298C to allow the Board more time to review the proposed amendments.
- CHAPTER 21, PHYSICIAN SUPERVISION OF A PHYSICIAN ASSISTANT ARC2372C. This amendment implements 2015 Iowa Acts, Senate File 505, Division XXXI, Section 113, which requires the Boards of Medicine and Physician Assistants to jointly adopt rules to establish specific minimum standards or a definition of supervision for appropriate supervision of physician assistants by physicians. NOTICED 12/10/2015

#### Petition received by the Board in 2015:

CHAPTER 13, STANDARDS OF PRACTICE AND PRINCIPLES OF MEDICAL ETHICS. Filed 07/05/2015, the petition sought to amend 13.7(4), which defines sexual misconduct by a physician, and to adopt a new rule to prohibit polygraph testing in Board investigations. On 08/28/2015, the Board denied the actions requested. The petition and order are available at www.medicalboard.iowa.gov

#### IOWA PHYSICIAN HEALTH PROGRAM

The Iowa Physician Health Program (IPHP) was established in 1996 to support physicians who self-report mental health issues, physical disabilities or substance use disorders. The advocacy and confidential monitoring program is administered by the Iowa Physician Health Committee, which is appointed by the Board of Medicine. Participants sign contracts



agreeing to adhere to the strict guidelines. The program's overarching goals are supporting physicians who seek the program's assistance, protecting the public by carefully monitoring physicians with diagnosed impairments that may affect their abilities to practice, and maintaining credibility with the Board and the public by accountability and responsible application of authority. The committee and program are defined in Iowa Administrative Code 653 Chapter 14. Committee members receive a per diem and expenses.

The committee held seven meetings in 2015 and met with 62 program participants. The program's budget of \$171,038 in FY2016 is funded entirely with licensure fees. Licensees do not pay additionally to participate in the program, but they are responsible for all costs associated with drug screening, therapy, treatment and so forth.

Staff members of the Board manage the program, and the committee's co-chairs and legal counsel provide guidance on case issues. **Members of the committee in 2015:** 

- Laura Van Cleve, D.O., Grinnell, co-chair
- Lester Yen, M.D., West Des Moines, co-chair
- Raymond Harre, M.D., Davenport
- Sasha Khosravi, D.O., Grimes
- Jeff Kerber, Ph.D., West Des Moines, licensed marriage and family therapist
- Lynn Martin, Ph.D., Des Moines, licensed marriage and family therapist
- Doug Peters, M.Div., Iowa City
- Julie Scheib, B.A.S., Spirit Lake, alcohol and drug counselor
- Mark Bowden, M.P.A., executive director, Board of Medicine

Amy Van Maanen, L.B.S.W. is the program's coordinator and Emily Zalasky, L.B.S.W. is the program's case manager. Sara Scott, an assistant Iowa Attorney General, provides legal counsel for the program.

		IPHP	http://iphp.iowa.gov/		
(Totals on December 31)	<u>2014</u>	<u>2015</u>		<u>2014</u>	<u>2015</u>
Active Participants	84	60	Substance use	11	14
In review for eligibility	*N/A	10	Mental health	17	13
Physicians	*N/A	59	Physical condition	10	7
Resident physicians	*N/A	11	Dual diagnosis	23	24
Acupuncturist	1	0	Physical & mental health	3	2
			Discharged	40	58
*These statistics were not tracked prior to 2015			Noticed for violations	6	0

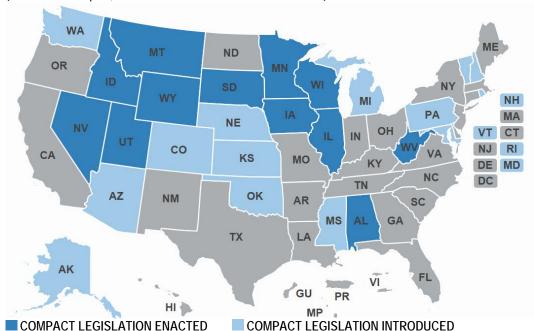
#### **LICENSURE**

JANUARY 1 TO DECEMBER 31	2013	2014	2015
Active M.D. licenses	9,852	9,756	10,090
Active D.O. licenses	1,764	1,782	1,881
TOTAL ACTIVE	11,616	11,538	11,971
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M.D.s with work address in Iowa with active license	5,549	5,477	5,543
D.O.s with work address in Iowa with active license	1,280	1,333	1,375
TOTAL ACTIVE WITH WORK ADDRESS IN IOWA	6,829	6,810	6,828
Permanent physician licenses issued			
By endorsement	481	470	496
By expedited endorsement	195	143	182
By examination	281	296	288
TOTAL PHYSICIAN LICENSES ISSUED	957	909	966
Physician licenses that were denied	0	0	0
Physician licenses renewed	5,123	5,398	5,342
Physician licenses that went inactive	618	788	793
Physician licenses reinstated	103	76	85
Resident (training) physician licenses			
Licenses issued	286	288	290
Licenses renewed	0	13	2
TOTAL ACTIVE RESIDENT LICENSES	736	720	756
Special physician licenses			
Licenses issued	1	0	4
Licenses renewed	26	25	22
Licenses that went inactive	1 <b>29</b>	0	3 <b>26</b>
TOTAL ACTIVE SPECIAL LICENSES	29	24	26
Temporary physician licenses			
Licenses issued	10	14	9
Licenses renewed	0	4	<del>7</del>
Licenses that went inactive	4	5	4
TOTAL ACTIVE TEMPORARY LICENSES	13	11	6
		• •	<u> </u>
Acupuncturist licenses			
Licenses issued	4	8	10
Licenses renewed	0	47	0
Licenses that went inactive	6	9	9
Total Active Acupuncture Licenses	50	52	62

IOWA MEDICAL LICENSES							
Permanent – A license to practice in any setting in lowa. It's a 2 year license that can be renewed.	Resident – A license to practice in a board-approved resident training program in lowa. The license is issued for the duration of the training program.	Special – A license to practice by a highly specialized physician who is a faculty member who does not meet qualifications for permanent licensure.	Temporary – A license authorizing a physician to practice in a short-term board-approved practice, e.g. medical director of a summer camp.				

#### INTERSTATE MEDICAL LICENSURE COMPACT

(Data shown as of April 1, 2016. Source:: Federation of State Medical Boards)



The Interstate Medical Licensure Compact creates a new pathway to expedite the licensing of physicians seeking to practice medicine in multiple states. States participating in the Compact agree to work together in new ways to significantly streamline the licensing process and to strengthen public protection by sharing investigative and disciplinary information that they cannot share now.

The Compact, which was established in 2015, comes at a time when physicians are seeking licensure in multiple states to complement their practices in regional health care systems and their use of telemedicine to reach patients in under-served areas.

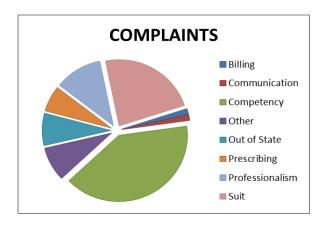
The Compact had been enacted in 12 states, with others expected to adopt it this year. States that have joined so far include Alabama, Idaho, Illinois, Iowa, Minnesota, Montana, Nevada, South Dakota, Utah, West Virginia, Wisconsin, and Wyoming. Iowa became the 10th state to enact the law, which is presented in Iowa Code chapter 147B.

To be eligible for expedited licensure, physicians must possess a full and unrestricted license to practice medicine in a Compact state; possess specialty certification or be in possession of a time unlimited specialty certificate; have no discipline on any state medical license; have no discipline related to controlled substances; not be under investigation by any licensing or law enforcement agency; have passed the USMLE or COMLEX (or equivalent) within three attempts; and have successfully completed a graduate medical education program.

The expedited licensure process is expected to get underway within the next eight months to a year after processes and resources are established by a commission that provides oversight and administration of the Compact. Each Compact state has two representatives on the commission. Iowa's commissioners are Diane Clark, a public member of the Board of Medicine, and Mark Bowden, the Board's executive director. More information about the Interstate Medical Licensure Compact is available at <a href="http://www.medicalboard.iowa.gov/Interstate%20Medical%20License%20Compact/index.html">http://www.medicalboard.iowa.gov/Interstate%20Medical%20License%20Compact/index.html</a>

#### **ENFORCEMENT**

JANUARY 1 TO DECEMBER 31	2012	2013	2014	2015
COMPLAINTS, MANDATORY REPORTS				
Complaints received	723	493	497	577
Reports received	81	168	150	135
TOTAL COMPLAINTS, REPORTS	792	661	647	712
Complaint files closed	604	683	N/A	588
Report files closed	81	115	N/A	146
TOTAL FILES CLOSED	685	798	726	734
Complaint investigations open on 12/31	704	659	N/A	367
Report investigations open on 12/31	3	4	N/A	68
TOTAL INVESTIGATIONS OPENED	707	663	584	435
INFORMAL DISCIPLINARY ACTION				
Confidential letters expressing concerns	79	77	123	105
CHARGES, CONSENT AGREEMENTS	32	44	40	22
FORMAL DISCIPLINARY ACTION				
License revocation/surrender	9	20	9	3
License suspension	9	1	1	1
License probation	14	11	7	12
Civil penalty	33	16	16	16
Citation and warning	33	31	26	21
Practice restriction	9	13	7	7
TOTAL FORMAL ACTION	107	92	66	60
CEASE AND DESIST LETTERS	1	0	2	2
MONITORING CASES ON 12/31	205	206	191	196



This chart shows the major categories of complaints and mandatory reports the Board receives.

#### **ENFORCEMENT SUMMARY – 2015 CHARGES/CONSENTS**

In 2015, the Board of Medicine filed charges against 22 physicians involving issues related to their practices in Iowa or related to adverse actions taken against them by another state's medical licensing board. Total charges listed below exceed 22 because some physicians were charged with more than one count. The total charges include one consent agreement as a condition for granting a permanent Iowa license, publicly recognizing adverse actions taken against applicants by another state's licensing board.

#### **CHARGES**

**Criminal conviction - 1** 

Disruptive behavior - 2

Failure to comply with a board order - 1

Failure to conform to... - 2

Felony conviction - 1

Improper pain management - 1

Improper prescribing - 1

Practice harmful or detrimental to the public - 2

Prescribing to immediate family - 1

Professional incompetency - 3

Sexual harassment - 1

Sexual misconduct - 2

Unethical or unprofessional conduct - 3

Wrong site surgery - 1

Sanctioned by another state's licensing board - 8

- Convicted of a felony 2
- Failure to comply with subpoena 1
- Improper prescribing 2
- Inadequate or improper medical care 1
- Substance abuse 1
- Wrong site surgery 1

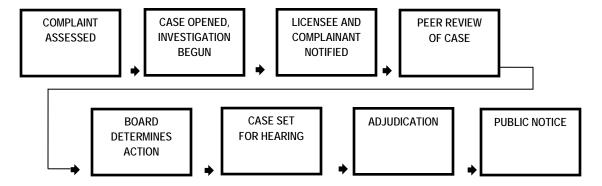
### OUTCOMES: Complaints are most often handled in one of three ways:

- 1. No action. This is the result when no violation of laws, rules or medical care standards has occurred. The licensee is notified and the information is kept on file.
- 2. Informal action. There may be no violation of laws, rules or medical care standards that warrants public action, but the Board is nonetheless concerned about some aspect of the licensee's conduct or performance. The Board will issue a confidential letter of education or warning cautioning the licensee against repeating similar conduct.
- 3. Public charges filed. The Board determines there is a violation of laws, rules or medical care standards and files public charges and a disciplinary hearing is scheduled.

#### **CONSENT AGREEMENTS FOR LICENSURE**

**Drug Diversion - 1** 

#### GENERAL OVERVIEW OF COMPETENCY COMPLAINT PROCESS



#### **ENFORCEMENT SUMMARY – 2015 INFORMAL ACTIONS**

When the Board of Medicine determines that probable cause does not exist to take formal public disciplinary action the Board may send a confidential, nondisciplinary letter to a licensee expressing concerns and requesting that a licensee take corrective action. In 2015, the board voted to issue 105 confidential letters addressing the following concerns.

Allowed an unlicensed staff member to dispense medications in the physician's absence Communication and disruptive behavior

Communication with a patient who underwent cardiac catheterization

Communication with nursing staff and a patient's family following surgery

Complications in cesarean section delivery Crossed appropriate physician-patient boundaries Delay in diagnosis and treatment of a testicular infarction

Delayed diagnosis and treatment of a patient who experienced serious postoperative complications
Diagnosis and treatment of a patient who experienced a tumor and vision loss

Diagnosis and treatment of a pulmonary embolism Diagnosis and treatment of a serious infection

Diagnosis and treatment of cancers

Diagnosis and treatment of heavy bleeding due to a miscarriage

Diagnosis and treatment of respiratory failure Diagnosis and treatment of the swelling of optic nerve Diagnosis, treatment, management of contagious disease

Disciplined by another state's licensing board Engaged in domestic violence

Evaluation and treatment of a fractured femur Evaluation and treatment of a fractured spine

Evaluation and treatment of a pregnant patient who presented with nausea, vomiting, cognitive concerns

Evaluation and treatment of a stroke Evaluation and treatment of delirium

Evaluation and treatment of neurological deficits following spine surgery

Evaluation, treatment and documentation for a patient who experienced a hypertensive emergency

Evaluation, treatment and follow-up for a patient who was diagnosed with pneumonia

Failed to complete a death certificate in a timely manner

Failed to complete necessary continuing medical education

Failed to diagnose and treat compartment syndrome Failed to document an accurate and detailed cause of death

Failed to perform appropriate diagnostic testing and monitoring of a patient's medication levels Failed to properly report the theft of abusable prescription drugs

Failed to provide appropriate diagnostic tele-radiology Failed to recognize and address signs and symptoms of a pulmonary embolism

Failed to report abnormal test results to a patient Failed to report investigation by another state's board Failed to report malpractice settlement and suspension of privileges

Failed to utilize appropriate safety measures for laser hair removal

Falsified medicine-related forms

Hormone therapy

Illegible handwriting in medical records for a patient Improper medication instructions

Improperly accessed patient medical records Inappropriate prescribing for chronic pain

Informed consent, surgical treatment, communication and documentation

Making inappropriate comments of a sexual nature Management of the preoperative x-ray results

Medical recordkeeping

Misread a magnetic resonance image

Misread an electrocardiogram and failed to document

recommendation for hospital admission Monitoring of psychotropic medications Pain control during a nephrostomy

Patient abandonment and improper disposal of medical records

Patient received excessive pain medication

Postoperative care following hip replacement surgery

Postoperative management and care

Prescribed controlled substances to a member of the physician's immediate family

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Prescribed medications without appropriate examinations, monitoring and medical records

Read the wrong computerized axial tomography scan and ultrasound

Significant complications after a colonoscopy

Supervision of resident physicians

Treatment and prescribing to a hospice patient

Treatment of patient in a nursing facility

Treatment of a high-risk pregnancy

Treatment of a mental health patient

Treatment of a patient injured in automobile accident Treatment of a patient who underwent cardioversion Unprofessional conduct and/or behavior which violated appropriate professional boundaries with a subordinate co-worker

Used pre-signed prescriptions and performed improper pain injections

#### **ENFORCEMENT, LICENSURE ACTIONS - 2015 ORDERS**

The following are summaries of the Board of Medicine's public orders issued in 2015, including enforcement actions and licensure requirement waivers. The documents for these orders are available at www.medicalboard.iowa.gov

Waqas Ali, M.D. License No. 35134

**Date of order:** 04/03/2015

Action: Voluntary surrender of medical license. Basis: Action taken by the Illinois Division of Professional Regulation.

Phillip D. Alscher, M.D. License No. 31119 **Date of order:** 02/06/2015

Actions: Issued citation and warning; assessed a civil penalty; ordered to complete professional ethics program; placed on probation subject to monitoring. Basis: Failure to conform to minimal standard of acceptable medical practice.

Janet Boone, M.D.

**Date of order:** 12/10/2015

Action: Board denied applicant's petition for waiver of IAC-653 9.7(3)a - FLEX examination. Basis: Six attempts on exam and not specialty board certified.

Thomas W. Fagg, D.O. License No. 02388 **Date of order:** 01/13/2015

Action: Probation terminated. Basis: Completed terms of probation.

Scott J. Fasse, M.D. License No. 34146 **Date of order:** 02/06/2015

Actions: Issued citation and warning; must notify Board at least 90 days prior to seeking reinstatement of his inactive license. Basis: Action taken by the Nebraska Board of Medicine and Surgery.

Wing-Tai Fung, M.D. License No. 18513 **Date of order:** 07/10/2015

Actions: Issued citation and warning; voluntary surrender of medical license; assessed a civil penalty. Basis: Criminal conviction: sexual misconduct: unethical unprofessional conduct.

Todd W. Gray, M.D. License No. 38691 **Date of order:** 08/28/2015

Actions: Issued citation and warning; assessed a civil penalty. Basis: Prescribing to a member of his immediate family.

Jacinta L. Gillis, M.D. License No. 36281

**Date of order:** 08/28/2015

Action: Dismissal of charges filed October 25, 2013. Basis: Medical license relinquished July 1, 2015.

Gary L. Goldman, M.D. **Date of order:** 12/11/2015

Action: Issued Notice of Satisfaction of Stipulated Licensure Order. Basis: Pursuant to an order issued February 26, 2004, the Board now recognizes that Dr. Goldman has successfully completed additional post-graduate training and may seek an Iowa medical license.

Robert F. Hall, M.D. License No. 32934 **Date of order:** 05/15/2015

Actions: Issued citation and warning; required to submit a written corrective action plan to avoid wrong-site surgery. Basis: Action taken by the Illinois Division of Professional Regulation.

Lynette I. Iles, M.D. License No. 30293 **Date of order:** 10/16/2015

Actions: Issued citation and warning; assessed a civil penalty; must fully comply with terms of August 8, 2014, settlement agreement with the Iowa Board. Basis: Violation of prior agreement with the Board.

Jerome W. Janda, D.O. License No. 02966 **Date of order:** 02/06/2015

Actions: Issued citation and warning; assessed civil penalty; ordered to complete professional ethics program and medical record-keeping course; permanently prohibited from prescribing, administering or dispensing controlled substances for treatment of chronic pain; placed on probation subject to monitoring and prescribing audits. Basis: Inappropriate prescribing; practice harmful or detrimental to the public.

Ric E. Jensen, M.D. License No. 32481 **Date of order:** 12/11/2015

Action: Probation terminated. Basis: Completed terms of probation.

Aaron E. Johnson, M.D. License No. 38012 **Date of order:** 08/28/2015

Actions: Issued citation and warning; must fully comply with the terms and conditions established by Minnesota Board of Medical Practice. Basis: Action taken by the Minnesota

Board.

Pierre Kamguia, M.D. License No. 34474 **Date of order:** 08/28/2015

Action: Dismissal of charges filed October 25, 2013. Basis: License

relinquished July 1, 2015.

James G. Kannenberg, M.D. License No. 22910 **Date of order:** 12/16/2015

Action: Probation terminated. Basis:

Completed terms of probation.

Alan R. Koslow, M.D. License No. 30390 **Date of order:** 12/11/2015

Actions: Issued citation and warning; assessed a civil penalty; placed on probation subject to monitoring; ordered to complete training program to address disruptive behavior. Basis: Professional incompetency; disruptive behavior.

Thomas J. Lanspa, M.D. License No. 24591 **Date of order:** 10/16/2015

Actions: Issued citation and warning; prohibited from prescribing, administering, dispending possessing any controlled substances at any time; placed on probation subject to counseling and monitoring for substance abuse. Basis: Action taken by the Nebraska Department of Health and Human Services.

Luis Lebredo, M.D. License No. 28161 **Date of order:** 04/08/2015

Actions: Issued citation and warning: assessed a civil penalty; ordered to complete medical record-keeping course; must fully comply with practice-monitoring plan. Basis: Failure to conform to the acceptable standard of care.

#### **ENFORCEMENT, LICENSURE ACTIONS - 2015 ORDERS**

The following are summaries of the Board of Medicine's public orders issued in 2015, including enforcement actions and licensure requirement waivers. The documents for these orders are available at www.medicalboard.iowa.gov

#### David H. Marcowitz, D.O. License No. 03281

**Date of order:** 06/25/2015

Issued citation and Actions: warning; assessed a civil penalty; suspended medical license but stayed the suspension pending successful completion of mental health and competency evaluations, and the completion of a professional ethics program; prohibited from prescribing. administering dispensing controlled substances for treatment of chronic pain; placed on probation subject to monitoring and prescribing audits. Basis: Action taken by the Illinois Division of Professional Regulation.

#### Ali S. Makki, M.D. License No. 24973

**Date of order:** 08/28/2015

Action: Dismissal of charges filed June 6, 2014. Basis: Medical license relinquished July 1, 2015.

#### Christie M. Mensch, M.D. License No. 37558

**Date of order:** 08/28/2015

Action: Prior order/agreement terminated; must submit to the Iowa Physician Health Program for assessment and must fully comply with all requirements established by the program prior to returning to the practice of medicine in Iowa. Basis: Fully complied with terms of prior order.

#### Steven R. Morris, D.O. License No. 04218 **Date of order:** 12/11/2015

Actions: Issued citation and warning; assessed a civil penalty; ordered to complete professional ethics program; placed probation; subject to monitoring including substance counseling and drug screening. Basis: Prescribing, administering or dispensing drugs for other than a lawful purpose; unethical or unprofessional conduct; substance abuse; practice harmful detrimental to the public; criminal conviction.

#### Dennis G. Miller, D.O. License No. 01710

**Date of Order:** 08/28/2015

Action: Probation terminated. Basis: Fully complied with terms of

Board order.

#### Gregory P. Neyman, M.D. License No. 35699

**Date of order:** 02/06/2015

Actions: Issued citation and warning; assessed a civil penalty; placed on probation subject to counseling and monitoring; required to have female healthcare provider chaperone when treating/examining female patients. Basis: Sexual misconduct.

#### Tomoki Nishimura, M.D.

License No. 42483

**Date of order:** 04/02/2015

Actions: Issued medical license; waived licensure requirement in IAC-653 9.8(7)c

Basis: Board accepted specialty board certification and recognized practice and training history.

#### Eric F. Opheim, D.O. License No. 03462

**Date of order:** 05/15/2015

Actions: Issued citation and warning; assessed a civil penalty; ordered to complete a professional boundaries program; placed on probation subject to counseling and monitoring. **Basis:** Sexual harassment; unethical unprofessional conduct.

#### Clayton G. Parks, M.D. License No. R-10246

**Date of Order:** 05/21/2015

Actions: Issued citation and warning; granted resident license; referred to Iowa Physician Health Program for assessment and must fully comply with all requirements established by the program. Basis: Action taken by the Illinois Division of Professional Regulation

#### Sandesh R. Patil, M.D. License No. 29779

**Date of order:** 12/11/2015

Action: Dismissal of charges filed May 15, 2015. Basis: Medical license relinquished July 1, 2015.

#### Clifford M. Perez, M.D.

License No. 33226

Date of order: 08/28/2015

Action: Dismissal of charges filed October 25, 2013. Basis: Medical license relinquished July 1, 2015.

#### Luong N. Pham, M.D. License No. 24767

**Date of order:** 08/28/2015

Action: Dismissal of charges filed October 25, 2013. Basis: Medical license relinquished July 1, 2015.

#### Sridhar Prasad, M.D.

License No. 28327

**Date of order:** 06/29/2015

Order: Suspension terminated. Basis: Withdrawal of certificate of non-compliance from the Iowa Department of Revenue.

#### Amy D. Putney

**Date of order:** 05/20/2015

Action: Withdrawal of original notice to cease and desist issued December 8, 2014, and the amended notice on February 19, 2016. Basis: Board intervened because Ms. Putney was providing mental health diagnostic and treatments that require state licensure. Ms. Putney subsequently became a licensed mental health care counselor.

#### Firas A.Z. Rabi, M.D. License No. 36338

Date of order: 02/19/2015

Issued citation and Actions: warning; assessed a civil penalty; suspension of medical license. Basis: Sexual harassment; unethical or unprofessional conduct; practice harmful or detrimental to the public.

#### Firas A.Z. Rabi, M.D. License No. 36338

**Date of order:** 12/11/2015

**Actions:** Medical license reinstated; placed on probation; must notify Board at least 30 days prior to practicing under his Iowa medical license; subject to monitoring including polygraph examinations; psychotherapy. Basis: Dr. Rabi demonstrated he was safe to practice.

#### **ENFORCEMENT, LICENSURE ACTIONS - 2015 ORDERS**

The following are summaries of the Board of Medicine's public orders issued in 2015, including enforcement actions and licensure requirement waivers. The documents for these orders are available at www.medicalboard.iowa.gov

Ingrid Radovanovic, M.D. License No. 42578

**Date of order:** 05/14/2015

Actions: Issued medical license; waived licensure requirements in

IAC-653 9.3(1)b(3)3.

Basis: Board accepted alternate post-graduate training. Board accepted Canadian equivalent to ECFMG and waived five years of practice requirement.

Winthrop S. Risk II, M.D. License No. 35883 **Date of order:** 04/09/2015

**Actions:** Probation terminated: prohibited from treating patients for chronic pain and/or prescribing, administering dispensing or controlled substances to patients; he may prescribe Vimpat, Lyrica and Potiga for the treatment of seizure disorders. Basis: Completed terms of probation.

Kevin Rosenblatt, M.D. License No. 42340

**Date of order:** 02/06/2015

Actions: Issued medical license; waived licensure requirements in IAC-653 9.7(1)e(1).

Basis: Board accepted delay in completing all three steps of medical license examination.

Fredric E. Sager, D.O. License No. 01747 **Date of order:** 02/06/2015

**Actions:** Issued citation and warning; assessed a civil penalty; ordered to complete a professional boundaries treatment program and continuing medical education in professional boundaries; prohibited from prescribing, administering or dispensing controlled substances to patients who exhibit drug-seeking behavior, drug abuse or diversion; placed on probation and subject to counseling and monitoring: required to have a female healthcare provider chaperone when treating/examining female patients. Basis: Unethical or unprofessional conduct; disruptive behavior.

Floyd D. Simpson, D.O. License No. 02030

**Date of order:** 08/28/2015

Action: Dismissal of charges filed April 17, 2014. Basis: Medical license relinquished July 1, 2015.

Denice N. Smith, M.D. License No. 36396

**Date of order:** 07/10/2015

Actions: Issued citation and warning; assessed a civil penalty; prohibited from prescribing, administering or dispensing narcotics for treatment of chronic pain; ordered to complete a professional ethics program; placed on probation subject to monitoring and audits of controlled substance prescribing. Basis: Action taken by the Illinois Division of Professional Regulation.

Lane Strathearn, M.D. License No. 43098

**Date of order:** 10/10/2015

Actions: Issued medical license; waived licensure requirements in IAC-653 9.3(1)c(3).

Basis: Board accepted nonaccredited post-graduate training.

William A. Stutts, D.O. License No. 03253

**Date of order:** 07/10/2015 Action: Voluntarily surrendered medical license. Basis: Violated Iowa Physician Health Program contract; physical, neuropsychological mental

impairment.

Tomohiro Tanaka, M.D. License No. SP-0217

**Date of order:** 08/27/2015

Actions: Issued special medical licensure license: waived requirements in IAC-653 10.4(2).

Basis: Board recognized academic appointment, unique contributions medicine. and significant international training certifications.

Aruna Turaka, M.D. License No. 42970 **Date of order:** 10/15/2015

Actions: Issued medical license; waived licensure requirement in

IAC-653 9.3(1)c(3).

Basis: Board accepted specialty board certification and recognized

practice history.

Kurt R. Vander Ploeg, M.D. License No. 20762

**Date of order:** 05/15/2015

Actions: Issued citation and warning; assessed a civil penalty; prohibited from prescribing, administering or dispensing controlled substances for treatment of chronic pain; ordered to complete a medical recordkeeping course; placed on probation subject to monitoring prescribing audits. Basis: Improper pain management.

Sridhar Yaratha, M.D. License No. 34260 **Date of order:** 08/28/2015

Actions: Medical license reinstated; ordered to pay civil penalty assessed

in a 2004 order by the Iowa Board. Basis: Fully complied with terms of

Board order.

Phillip S. Yee, M.D. License No. 35538 **Date of order:** 04/03/2015

Actions: Issued citation and warning; assessed a civil penalty; required to submit a written corrective action plan to avoid wrong-site surgery. Basis: Wrong site surgery.

#### PEER REVIEWS

In addition to three public members, the Board of Medicine includes seven physicians, representing at most seven specialties. Complaints about Iowa physicians, however, cross the spectrum of specialties, from anesthesiology to urology. Therefore, in competency issues expertise in a given case may not be available on the Board when the case is discussed. If, after a case has been investigated and discussed at the Board level, specialty expert opinion is needed to fairly determine if the standard of care has or has not been met, a formal peer review may be requested. John Olds, M.D., the Board's medical advisor, will recruit physicians to serve on a committee to review a case file, which includes the investigative report, interviews with the complainant, witnesses and the physician involved, and pertinent medical records. The peer reviewers then discuss their findings and determinations amongst themselves and submit a formal report to the Board for consideration. Iowa physicians who are interested in serving as a peer reviewer may contact Dr. Olds at (515) 242-3229. An instruction manual for peer reviewers is available at www.medicalboard.iowa.gov

PEER REVIEWS							
2010 2011 2012 2013 2014 2015							
Ordered	6	7	9	11	16	12	
Completed	6	8	9	7	9	13	

#### **CIVIL PENALTIES**

lowa Code 148.6(1) provides that the Board of Medicine, after due notice and hearing, may issue an order to discipline a licensee, including imposing a civil penalty not to exceed \$10,000. All penalties are deposited in the general fund of the State of Iowa. The Board does not financially benefit from the penalties it imposes. The Board is funded entirely with licensure fees.

CIVIL PENALTIES										
	2010 2011 2012 2013 2014 2015									
LICENSEES	24	23	29	16	16	16				
AMOUNTS										
1,000	1	2	3	2	0	1				
2,000	0	0	1	0	0	0				
2,500	5	7	6	6	7	1				
3,000	0	0	0	0	0	1				
4,000	1	0	0	0	0	0				
5,000	13	9	5	4	8	7				
7,500	0	1	4	1	1	4				
10,000	4	4	11	3	0	4				
TOTALS	122,500	112,000	185,000	74,500	65,000	96,500				

Since 2007, the Board has deposited \$887,000 in civil penalties in Iowa's general fund.

#### ALTERNATE MEMBERS

Alternate members of the Board of Medicine play an important role in contested case hearings. Up to three alternates can serve on a six-member panel for a hearing when a quorum (six members) of the 10 current members of the Board is not available. Since it was authorized by law in 2008 and implemented in 2009, the Alternate pool is routinely tapped for hearings. Alternates are recommended by the Board, but must be approved by the Governor. An Alternate's term is nine years. Alternates receive a per diem and expenses. Alternates serving in 2015 were:

ALTERNATE MEMBERS	APPOINTED
Carole Frier, D.O., Des Moines	March 25, 2011
Analisa Haberman, D.O., Mason City	August 21, 2012
Bruce Hughes, M.D., Des Moines	March 25, 2011
John Marshall, M.D., Council Bluffs	August 21, 2012
Jeff Snyder, M.D., Crescent	September 26, 2013
Paul Thurlow, Dubuque	November 14, 2011
Janece Valentine, Fort Dodge	July 8, 2012
Joyce Vista-Wayne, M.D., Clive	September 26, 2013
Allen Zagoren, D.O., Clive	March 19, 2009

#### **CONTESTED CASE HEARINGS**

The Board of Medicine may file a statement of charges if it finds probable cause that a licensee violated lowa law or the Board's rules. The case is referred to the Iowa Attorney General's Office and an assistant attorney general is assigned to prosecute the case. The Board office schedules a hearing for the licensee and the state to present evidence related to the charges to a hearing panel of Board members. State law encourages the Board to enter into informal settlement negotiations prior to the initiation of a hearing. In most circumstances the state makes a settlement offer. If no settlement is attempted or reached, the case proceeds to hearing. A panel of at least six Board members, three of whom can be alternate members, will hear the case at the Board's office. An administrative law judge from the Iowa Department of Inspections and Appeals presides over the hearing, rules on matters of law and assists the Board in preparing the Findings of Fact, Conclusions of Law, Decision, and Order of the Board based on the evidence presented during the hearing.

HEARINGS							
	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>			
Hearings	8	4	2	2			
Hearings using Alternates	6	3	1	2			
Total hearing days	9	5	3	3			
Cases settled without hearings	40	47	34	23			

0 P	tate Population: opulation ≤ age 21: otal Active Physicians rimary Care Physician		Total Female Physicians: Total Medical or Osteopathic Students Total Residents:	: 1,	917 544 341
				IA	IA Rank
	Active Physicians per 10	00,000 Population, 201	4	211.0	42
	Total Active Patient Car	e Physicians per 100,0	00 Population, 2014	188.4	45
	Active Primary Care Ph	ysicians per 100,000 P	opulation, 2014	84.8	34
Physician	Active Patient Care Prin	nary Care Physicians p	er 100,000 Population, 2014	78.7	31
Supply	Active General Surgeon	s per 100,000 Populat	ion, 2014	7.0	41
	Active Patient Care Ger	neral Surgeons per 100	0,000 Population, 2014	6.6	35
	Percent Active Female	Physicians, 2014		29.3%	33
	Percent of Active Physic	Percent of Active Physicians who are International Medical Graduates, 2014			26
	Percentage of Active Ph	nysicians Who Are Age	60 or Older, 2014	27.2%	38
	Students Enrolled in Medical or Osteopathic School per 100,000 Population, AY 2014-2015			49.7	7
Undergraduate Medical	Students Enrolled in <i>Public</i> Medical or Osteopathic Schools per 100,000 Population, AY 2014-2015			21.5	20
Education (UME)	Percent Change in Stud	lents Enrolled in Medic	al or Osteopathic Schools (2004-2014)	6.6%	40
	Percent of Medical Scho	ool Matriculating from I	n-State, AY 2014-2015	68.2%	24
	Total Residents/Fellows	s in ACGME Programs	per 100,000 Population as of 12/31/14	27.1	26
Graduate Medical	Total Residents/Fellows	s in Primary Care ACGI	ME Programs per 100,000 Population as of 12/13/14	10.8	24
Education	Percentage of Internation	onal Medical Graduates	s in ACGME Programs as of 12/31/14	23.8%	21
(GME)	Ratio of Residents and	Fellows (GME) to Medi	ical and Osteopathic Students (UME), AY 2013-2014	0.6	41
	Percent Change in Resi	idents and Fellows in A	CGME-Accredited Programs, 2004-2014	9.4%	43
	Percent of Physicians R	tetained in State from U	Indergraduate Medical Education, 2014	22.1%	39
	Percent of Physicians R	tetained in State from F	Public Undergraduate Medical Education, 2014	30.7%	39
Retention	Percent of Physicians R	etained in State from 0	Graduate Medical Education, 2014	35.9%	44
	Percent of Physicians	Retained in State fro	m UME and GME Combined, 2014	61.1%	34

Source: Association of American Medical Colleges, 2015 State Physician Workforce Data Book

# **IOWA PHYSICIAN WORKFORCE**

			Fema	<u>le</u>	Age 6	0 or Older
Specialty	<b>Total Active</b>	People Per Physician	Number	Percent	Number	Percent
All Specialties	6,557	474	1,917	29.3	1,776	27.2
Allergy & Immunology	28	110,969	10	35.7	*	*
Anatomic/Clinical Pathology	114	27,255	38	33.3	54	47.4
Anesthesiology	320	9,710	63	19.7	79	24.8
Cardiovascular Disease	153	20,308	21	13.7	56	36.6
Child & Adolescent Psychiatry**	50	18,253	25	50.0	14	28.0
Critical Care Medicine	64	48,549	15	23.4	*	*
Dermatology	75	41,428	27	36.0	23	30.7
Emergency Medicine	206	15,083	43	21.0	55	27.0
Endocrinology, Diabetes & Metabolism	33	94,155	12	36.4	11	33.3
Family Medicine/General Practice	1,677	1,853	579	34.6	442	26.5
Gastroenterology	75	41,428	*	*	17	22.7
General Surgery	219	14,188	31	14.2	59	26.9
Geriatric Medicine***	23	29,684	*	*	*	*
Hematology & Oncology	98	31,705	26	26.5	31	31.6
Infectious Disease	53	58,625	19	35.8	12	22.6
Internal Medicine	597	5,205	197	33.1	183	30.7
Internal Medicine/Pediatrics**	*	*	*	*	*	*
Interventional Cardiology	30	103,571	*	*	*	*
Neonatal-Perinatal Medicine**	40	77,678	17	42.5	*	*
Nephrology	58	53,571	16	27.6	15	25.9
Neurological Surgery	31	100,230	*	*	*	*
Neurology	99	31,385	27	27.6	37	37.4
Neuroradiology	20	155,356	*	*	*	*
Obstetrics & Gynecology	264	11,769	134	50.8	52	19.7
Ophthalmology	147	21,137	39	26.7	38	25.9
Orthopedic Surgery	172	18,065	*	*	56	32.6
Otolaryngology	87	35,714	10	11.5	23	26.4
Pain Medicine & Pain Management	27	115,079	*	*	*	*
Pediatrics**	328	2,783	179	54.6	78	23.9
Physical Medicine & Rehabilitation	43	72,259	13	30.2	11	25.6
Plastic Surgery	33	94,155			12	36.4
Preventive Medicine	49	63,411	18	36.7	20	40.8
Psychiatry	223	13,933	69	31.1	86	38.6
Pulmonary Disease & Critical Care Medicine	40	77,678			25	62.5
Radiation Oncology	43	72,259	13	31.0	14	32.6
Radiology & Diagnostic Radiology	209	14,867	28	13.4	70	33.5
Rheumatology	39	79,670	14	35.9	11	28.2
Thoracic Surgery	37	83,976	*	*	13	35.1
Urology	69	45,031	*	*	19	27.5
Vascular & Interventional Radiology	15	207,142				
Vascular Surgery	31	100,230	*	*	*	*

Source: Association of American Medical Colleges, 2015 State Physician Workforce Data Book

<sup>\*</sup> Counts for specialties with fewer than 10 physicians are not shown
\*\* Only those 18 years or younger are included in People Per Physician
\*\*\* Only those 65 years or older are included in People Per Physician

The Board of Medicine is fortunate to have dedicated, competent personnel who take their jobs, and the Board's mission, seriously. Every day, these men and women perform licensure and regulatory enforcement duties that enable the Board to protect the health of lowans.

#### IOWA BOARD OF MEDICINE

400 SW Eighth Street, Suite C Des Moines, Iowa 50309-4686

HOURS: 8:00 a.m. to 4:30 p.m., Monday-Friday

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#### **ADMINISTRATION**

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John Olds, M.D. Medical Advisor

**Shantel Billington** 

Office Manager

**Steve Ervin** 

**Technology Specialist** 

**Chrissy Greco** 

Assistant to the Executive Director

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Sylvia Crook

**Licensing Specialist** 

Judy Hojati

Renewal Coordinator

**Rachel Long** 

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Amanda Woltz Licensing Specialist

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\*Certified Medical Board Investigator by Administrators in Medicine and the Federation of State Medical Board

**COVER ARTWORK: X-rays of human joints.** Shutterstock