



December 6, 2019

## Meeting Minutes

8:00 a.m. Roll call

### **Members Present:**

Steven P. Rosenberg, M.D., Chair  
Hector Vila, M.D., Vice Chair  
Magdalena Averhoff, M.D.  
Scot Ackerman, M.D.  
Sarvam TerKonda, M.D.  
Kevin Cairns, M.D.  
Jorge Lopez, M.D.  
Robert London, M.D.  
Nicholas Romanello, Consumer Member  
Andre Perez, Consumer Member  
David Diamond, M.D.  
Shailesh Gupta, M.D.  
Brigitte Goersch, Consumer Member  
Zachariah P. Zachariah, M.D.

### **Members Absent:**

### **Staff Present:**

Claudia Kemp, JD, Executive Director  
Donna McNulty, Board Counsel  
Rachelle Munson, Board Counsel  
Nancy Murphy, Certified Paralegal  
Crystal Sanford, Program Operations Adm.  
Wendy Alls, Program Operations Adm.  
Shaila Washington, Regulatory Supervisor  
Rebecca Hewett, Regulatory Specialist III  
Towanda Burnett, Compliance Officer  
Brad Dalton, Public Information Officer

### **Others Present:**

Magnolia Court Reporting  
Cindy Green  
3213 Hargill Drive  
Orlando Florida 32806  
(407) 896-1813

### **Prosecutors Present:**

Allison Dudley, Esquire, Chief Legal Counsel  
Corynn Albert, Esquire  
Sarah Corrigan, Esquire

Ms. Kemp explained to the audience the different hearings scheduled for the day.

Ms. Sanford read the list of Settlements Agreement hearings scheduled and the members voted on the cases where they felt the penalty was appropriate for the violation.

### **Disciplinary Case Schedule:**

**Eric Lup-Sing Lo, M.D. – Settlement Agreement ..... 6**

No current members were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Sections 458.331(1)(b), Florida Statutes (2018), 458.331(1)(kk), Florida Statutes (2018) and 456.072(1)(w), Florida Statutes (2015).

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$1,500 fine and costs.

**Rajiv R. Loungani, M.D. – Settlement Agreement ..... 7**

Dr. Vila and Mr. Perez were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Section 458.331(1)(k), Florida Statutes (2018).

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$2,500 fine, costs, Laws & Rules course and 10 hours of CME in Ethics

**Sanjeev Sharma, M.D. – Settlement Agreement ..... 9**

Dr. Vila and Mr. Perez were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Sections 458.331(1)(b), Florida Statutes (2018) and 456.072(1)(w), Florida Statutes (2017).

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$5,000 fine, costs and 5 years of probation.

**Marwan F. Hammoud, M.D. – Settlement Agreement ..... 10**

Dr. Averhoff and Mr. Romanello were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Section 458.331(1)(b), Florida Statutes (2017).

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$2,500 fine and costs

**Stephen J. Swartz, M.D. – Settlement Agreement ..... 11**

Dr. Averhoff and Mr. Romanello were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Sections 458.331(1)(b), Florida Statutes (2017), 458.072(1)(w), Florida Statutes (2017) and 458.331(1)(kk), Florida Statutes (2017).

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$4,000 fine and costs.

**Julian A. Cameron, M.D. – Settlement Agreement ..... 12**

Mr. Perez was recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Section 456.072(1)(bb), Florida Statutes.

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$4,000 fine, costs, Present lecture on wrong-site surgeries and 5 hours of CME in Risk Management

**Michael J. Hall, M.D. – Settlement Agreement ..... 1**

Dr. Hall was present and represented by Mark Kamilar, Esquire.

Dr. Zachariah and Mr. Romanello were recused due to participation on the probable cause panel.

Ms. Alberto represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 458.331(1)(nn), Florida Statutes.

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$1,500 fine, costs, 5 hours of CME in Health Information and Privacy and 5 hours of CME in Risk Management.

**David K. Mehta, M.D. – Settlement Agreement ..... 2**

Dr. Mehta was present and was represented by counsel.

Dr. Averhoff and Mr. Perez were recused due to participation on the probable cause panel.

Ms. Alberto represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 456.072(1)(bb), Florida Statutes (2015).

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$3,000 fine, costs, lecture/seminar in risk management and avoiding wrong-site procedures in the office surgery setting and 5 hours of CME in Risk Management.

**Colleen M. Galvin, M.D. – Settlement Agreement ..... 3**

Dr. Averhoff and Mr. Romanello were recused due to participation on the probable cause panel.

Ms. Alberto represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 458.331(1)(b), Florida Statutes (2017).

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** Letter of concern, \$1,500 fine, costs and suspension.

**Socrates Perez-Rodriguez M.D. – Settlement Agreement ..... 4**

Dr. Perez-Rodriguez was present but not represented by counsel.

Dr. Averhoff was recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Sections 458.331(1)(t) and 458.331(1)(m), Florida Statutes (2013).

The Respondent agreed to waive all fees and costs related to the prosecution of the case.

A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

A motion was made, seconded and carried unanimously to dismiss the Administrative Complaint.

**Action taken:** Administrative Complaint dismissed

**John P. Landi, M.D. – Settlement Agreement..... 5**

Dr. Landi was present and represented by Bruce M. Stanley, Sr., Esquire.

Dr. TerKonda was recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Sections 458.331(1)(t), (m), and/or (nn), Florida Statutes (2012).

A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

A motion was made, seconded and carried unanimously to offer a counter proposal to impose the same terms but to add a risk management assessment of the Respondent's office.

The Respondent took seven days to accept or reject the counter proposal.

**Action taken:** Settlement Agreement rejected; counter offer to impose letter of concern, risk management assessment of office, \$4,000 fine and costs.

**Chair Recognition Award**

The Chair and the Board recognized Jordan Carbono from Florida State University for demonstrating their professionalism, moral character, compassion and intellect as a future leader of the medical profession.

**Election of Officers:**

The Chair took nominations for Chair for 2020.

Mr. Perez nominated Dr. Vila for Chair.

Dr. Vila explained the Board was facing many challenges in 2020 and because Dr. Zachariah has the experience on the Board, his wisdom and leadership was needed for the Board to function at its best. He nominated Dr. Zachariah.

A motion was made, seconded and carried unanimously to elect Dr. Zachariah as Chair.

Dr. Zachariah accepted the position for 2020 and thanked Dr. Vila for the nomination.

Dr. Vila was nominated to serve as Vice Chair.

A motion was made, seconded and carried unanimously to elect Dr. Vila as Vice Chair for 2020.

Dr. Vila accepted the position.

**Action taken:** Dr. Zachariah will serve as Chair and Dr. Vila will serve as Vice Chair in 2020

**Ata Atoqho, M.D. – Settlement Agreement..... 8**

Dr. Atogho was present and represented by Jay A. Ziskind, Esquire.

Dr. Vila and Mr. Perez were recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 458.331(1)(t)1, Florida Statutes (2013).

A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

A motion was made, seconded and carried with one opposed to offer a counter proposal to impose the same terms but to change the required 10 hours CME to fetal monitoring.

The Respondent took seven days to reject or accept the counter offer.

Mr. Ziskind objected to the cost amount imposed in the case.

**Action taken:** Settlement Agreement rejected; counter offer to impose letter of concern, \$10,000 fine, costs, Records course, 10 hours of CME in fetal monitoring, 5 hours of CME in Risk Management and 12 months of probation.

**Tom R. Karl, M.D. – Settlement Agreement..... 13**

Dr. Karl was present and represented by Bruce Lamb, Esquire.

Dr. Vila and Mr. Perez were recused due to participation on the probable cause panel. Dr. Lopez advised he was on the probable cause panel when the case was first presented and he needed to be recused as well.

Ms. Alberto represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 456.072(1)(cc), F.S. (2016).

A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

The Respondent agreed to waive fees and costs for prosecution in this case.

A motion was made, seconded and carried unanimously to dismiss the Administrative Complaint.

**Action taken:** Administrative Complaint dismissed

**Shareen M. Greenbaum, M.D. – Settlement Agreement ..... 14**

Dr. Greenbaum was present and represented by Marc Ganz, Esquire.

Ms. Goersch was recused due to participation on the probable cause panel. Dr. Gupta recused himself from this case based on his professional relationship with Dr. Greenbaum.

Ms. Corrigan represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Sections 458.331(1)(t)1, Florida Statutes (2014), and 458.331(1)(m) and/or (nn), Florida Statutes (2013).

A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

A motion was made and seconded to offer a counter proposal to impose the same terms in the original agreement, but to increase the fine to \$20,000 and to impose a reprimand instead of a letter of concern.

The Respondent accepted the counter offer on the record.

**Penalty imposed:** Reprimand, \$207,000 fine, costs, 5 hours of CME in Risk Management, restricted from using stem cells in her practice or in any clinical trials until she appears and demonstrates she will use stem cells as approved by the FDA

**Amarilis E. Danser, E.O. – Settlement Agreement..... 15**

Ms. Danser was present but not represented by counsel.

Dr. Vila and Mr. Perez were recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 456.072(1)(o), F.S.

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** letter of concern, \$1,500 fine, costs, 5 hours CME in risk management and 3 months suspension.

**Victor R. Roberts, M.D. - Settlement Agreement..... 16**

Dr. Roberts was present and represented by Michael Smith, Esquire.

Dr. Zachariah and Mr. Romanello were recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Sections 458.331(1)(t), Florida Statutes (2010), 458.331(1)(q), Florida Statutes (2010) and 458.331(1)(m), Florida Statutes (2010).

A motion was made to accept the Settlement Agreement. However, there was no second to the motion.

A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

A motion was made, seconded and carried unanimously to offer a counter proposal to change the letter of concern in the existing agreement to a reprimand.

The Respondent took seven days to accept or reject the counter offer.

**Action taken:** Settlement Agreement rejected; counter offer to impose reprimand, \$30,000 fine, costs, Records course, Risk Management, Permanent Restriction owning a PMC and treating chronic non-malignant pain, Temporary Restriction prescribing schedules I-V

**Petition for Declaratory Statement:**

**Derrick Davis, P.A. – RE: 458.305, F.S. .... 38**

Dr. Davis was present and represented by Ben Partlow, Esquire. They presented the information concerning their petition.

After discussion, a motion was made, seconded and carried unanimously to deny the petition for declaratory statement based on the definition of a Physician Assistant (PA), requirements for

PA's and the petition was asking the Board to interpret laws outside of the Board's authorization.

**Action taken:** petition denied; draft Final Order will be presented at the February 2020 Board Meeting

**Michael F. O'Brien, M.D. - Determination of Waiver..... 17**

Dr. O'Brien was not present nor was he represented by counsel.

Dr. Vila and Mr. Perez were recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 458.331(1)(b), Florida Statutes.

A motion was made, seconded and carried unanimously to find the Respondent has waived his right to a hearing.

A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

A motion was made, seconded and carried unanimously to find the Respondent has violated Florida statutes as charged in the Administrative Complaint.

A motion was made, seconded and carried unanimously to impose a suspension until all licenses are unencumbered, he undergoes a UF CARES evaluation and the Board retained jurisdiction to impose additional terms when the Respondent submits his evaluation.

**Action taken:** suspended until all licenses are clear, UF CARES evaluation, Board retained jurisdiction

**Jeffrey D. Neitlich, M.D. – Determination of Waiver..... 18**

Dr. Neitlich was not present nor was her represented by counsel.

Mr. Perez was recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Sections 458.331(1)(b), Florida Statutes (2017), 456.072(1)(w), Florida Statutes (2017) and 458.331(1)(kk), Florida Statutes (2017).

A motion was made, seconded and carried unanimously to find the Respondent has waived his right to a hearing.

A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

A motion was made, seconded and carried unanimously to find the Respondent has violated Florida statutes as charged in the Administrative Complaint.

A motion was made, seconded and carried unanimously to impose a letter of concern, \$5,000 fine, and a drug prescribing course.

A motion was made, seconded and carried unanimously to assess costs in the amount of \$718.70.

**Action taken:** letter of concern, \$5,000 fine, costs, drug prescribing course

**Peter R. Preganz, M.D. - Determination of Waiver ..... 19**

Dr. Preganz was not present or represented by counsel.

Ms. Goersch were recused due to participation on the probable cause panel.

Ms. Dudley represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 456.072(1)(hh), Florida Statutes. (2018).

A motion was made, seconded and carried unanimously to find the Respondent has waived his right to a hearing.

A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

A motion was made, seconded and carried unanimously to find the Respondent has violated Florida statutes as charged in the Administrative Complaint.

A motion was made, seconded and carried unanimously to impose a letter of concern, \$1,000 fine, suspension until he is in compliance with PRN and appears before the Board to demonstrate his ability to practice with reasonable skill and safety.

A motion was made, seconded and carried unanimously to assess costs.

**Action taken:** letter of concern, suspension until compliance with PRN and appears to demonstrate ability to practice, costs, \$1,000 fine

**Curt E. Liebman, M.D. – Hearing Not Involving Disputed Issues of Material Fact..20**

Dr. Liebman was present but not represented by counsel.

Dr. Lopez and Ms. Goersch were recused due to participation on the probable cause panel.

Ms. Alberto represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: violation of Section 458.331(1)(b), Florida Statutes (2018).

A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

A motion was made, seconded and carried unanimously to find the Respondent has violated Florida statutes as charged in the Administrative Complaint.

A motion was made, seconded and carried unanimously to impose a letter of concern.

A motion was made, seconded and carried unanimously to assess costs in the amount of \$120.76.

**Penalty imposed:** letter of concern, costs

**Roberto Zayas, M.D. – Hearing Not Involving Disputed Issues of Material Fact .... 21**

This hearing was continued until a future Board Meeting.

**Action taken:** Continued

**Voluntary Relinquishments:**

A motion was made, seconded and carried unanimously to accept the relinquishment in tabs 22, 24, 26, 28, 29, 31, 32.

**Action taken:** licenses relinquished

**Moulton Keane, M.D. – Voluntary Relinquishment ..... 22**

Probable Cause was waived in this case.

Allegations of the Administrative Complaint: violation of Sections 456.072(1)(c)(k)(x)(dd)(II), Florida Statutes, 456.074, Florida Statutes and 458.331(1)(c)(g)(nn), Florida Statutes.

**Joseph B. Michelson, M.D. - Voluntary Relinquishment ..... 23**

Dr. Averhoff and Mr. Romanello were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Section 458.331(1)(b), Florida Statutes (2018).

A motion was made, seconded and carried unanimously

**Penalty imposed:** License relinquished

**Sheetal K. Kumar, M.D. – Voluntary Relinquishment ..... 24**

No current members were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Sections 456.072(1)(kk), Florida Statutes (2018), 458.331(1)(kk), Florida Statutes (2018) and 458.331(1)(c), Florida Statutes (2018).

**Clara A. Salazar Vust, P.A. – Voluntary Relinquishment..... 25**

Ms. Goersch was recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Sections 456.072(1)(kk), Florida Statutes (2018), 458.331(1)(kk), Florida Statutes (2018) and 458.331(1)(c), Florida Statutes (2018).

A motion was made, seconded and carried unanimously

**Penalty imposed:** License relinquished

**Jeetendra K. Issar, M.D. – Voluntary Relinquishment ..... 26**

Probable Cause was waived in this case.

Allegations of the Administrative Complaint: violation of Sections 456.072(1)(k), Florida Statutes, 456.072(1)(z), Florida Statutes and 456.072(1)(hh), Florida Statutes.

**Douglas A. Conigliaro, M.D. – Voluntary Relinquishment – 201719600 ..... 27**

Ms. Goersch was recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Sections 458.331(1)(b), Florida Statutes (2018) and 458.331(1)(kk), Florida Statutes (2018).

A motion was made, seconded and carried unanimously

**Penalty imposed:** License relinquished

**Angel F. Triana, M.D. – Voluntary Relinquishment ..... 28**

Probable Cause was waived in this case.

Allegations of the Administrative Complaint: violation of Sections 458.331(1)(g), Florida Statutes (2016), 458.331(1)(s), Florida Statutes (2016) and 458.331(1)(nn), Florida Statutes (2016).

**Elsa N. Pichardo-Matos, M.D. – Voluntary Relinquishment ..... 29**

Probable Cause was waived in this case.

Allegations of the Administrative Complaint: violation of Sections 456.072(1)(k), Florida Statutes (2019) and 458.331(1)(x), Florida Statutes (2019).

**Medardo Q. Santos, M.D. – Voluntary Relinquishment ..... 30**

Mr. Perez were recused due to participation on the probable cause panel.

Allegations of the Administrative Complaint: violation of Section 456.072(1)(c), Florida Statutes (2018).

A motion was made, seconded and carried unanimously

**Penalty imposed:** License relinquished

**Binu Kuriakose, P.A. – Voluntary Relinquishment ..... 31**

Probable Cause was waived in this case.

Allegations of the Administrative Complaint: violation of Sections 456.072(1)(f)(k)(w)(dd), Florida Statutes (2018) and Section 458.331(1)(b)(g)(nn), Florida Statutes (2018).

**Carol S. Rudolph, M.D. – Voluntary Relinquishment ..... 32**

Probable Cause was waived in this case.

Allegations of the Administrative Complaint: violation of Sections Section 456.072(1)(k)(q)(dd), Florida Statutes (2018) and 458.331(1)(g)(x)(nn), Florida Statutes (2018).

**Linda S. Cox, M.D. - Motion to Vacate Acceptance of Licensure Relinquishment . 33**

Dr. Cox’s voluntarily relinquished her license in lieu of further discipline and that was considered and accepted at the October 2019 Board Meeting. However, Dr. Cox had submitted a request prior to the meeting to withdraw her voluntary relinquishment.

A motion was made, seconded and carried unanimously to reconsider the previous acceptance of the voluntary relinquishment.

A motion was made, seconded and carried unanimously to table this matter.

**Action taken:** relinquishment reconsidered

**Revisited: Jeetendra K. Issar, M.D. – Voluntary Relinquishment ..... 26**

A motion was made, seconded and carried unanimously to reconsider acceptance of his voluntary relinquishment.

A motion was made, seconded and carried unanimously to table this hearing.

**Action taken:** relinquishment reconsidered; hearing tabled

**Motion for Reconsideration:**

**Richardo A. Bedoya, M.D. – Motion to Quash the Final Order..... 34**

Dr. Bedoya was present and represented by Kyle Young, Esquire.

The Department objected to the motion.

A motion was, made, seconded and carried unanimously to deny the motion.

**Action taken:** motion denied

**Mark S. Cukierman, M.D. - Petition for Formal Administrative Hearing and or Petition for Reinstatement of Medical License..... 42**

This matter is to be continued.

**Action taken:** Continued

**Final Order Compliance:**

**Neelam T. Uppal, M.D. - Petition for Modification of Final Order ..... 46**

Dr. Uppal was present and represented by Bruce Lamb, Esquire. They were requesting the supervision be modified from direct to indirect supervision.

A motion was made, seconded and carried with one opposed to deny the petition.

**Action taken:** petition denied

**AHCA Exemption:**

**Salil G. Jacob, M.D..... 35**

Dr. Jacob was present and represented by Rickey L. Strong, Esquire,

A motion was made, seconded and carried unanimously to grant the AHCA exemption.

**Action taken:** exemption granted

**Nelson N. Aldana Aldana, M.D. .... 36**

Dr. Aldana was present by not represented by counsel.

A motion was made, seconded and carried unanimously to grant the AHCA exemption.

**Action taken:** exemption granted

**Petition for Declaratory Statement:**

**Martin Neal Zaiac, M.D. – Approval of Draft Final Order..... 37**

This matter was tabled until the February 2020 Board Meeting.

**Action taken:** tabled

**Informal Hearing:**

**John Elliott McCarthy, M.D..... 39**

Dr. McCarthy was not present nor was he represented by counsel.

Ms. McNulty read an email received from Dr. McCarthy just prior to the meeting into the record. It was unclear whether he was withdrawing from his appeal or withdrawing his application.

A motion was made, seconded and carried unanimously to allow Dr. McCarthy to withdraw his application.

**Action taken:** allowed to withdraw his application

**Presentation:**

DHCS MAT Expansion Project Newsletter, Aaron Wohl, M.D. ....No tab

**UNTIMED ITEMS\*:**

**Chair Recognition Award**

Ms. Lacie Turnbull with the University of Central Florida was going to be recognized by the Board however, she was unable to appear because she had an interview for a residency program at the same time. The Board will recognize her at the next meeting.

**Board Chair’s Remarks: ..... No tab**

Dr. Rosenberg recognized the following previous board members for their service on the Board:

- Seela Ramesh, M.D. – service from 2015-2019
- Steven Falcone, M.D. – service from 2018-2019
- James W. Orr, Jr., M.D. – service from 2011-2019
- Merle P. Stringer, M.D. – service from 2011-2019

Dr. Rosenberg thanked staff for helping him through the year. He also thanked the board members for their dedication to the Board. He also said he appreciated the opportunity to serve as Chair.

Dr. Rosenberg also expressed concern about members serving on the Credentials Committee and suggested members serve for six months, then a different set of members would do the second six months.

Dr. Vila suggested allowing the new members to serve but to include a couple seasoned members as well.

**Board Counsel’s Remarks: ..... 40**

**Ratification of Medical Records Rule**

Ms. McNulty asked the Board if they wanted their draft medical records rule be presented to the Legislature for ratification in the 2020 Session.

A motion was made, seconded and carried unanimously to present the medical records rule to the Legislature.

**Action taken:** resubmit medical records rule package for ratification

Ms. McNulty explained changes in the rulemaking process recently sent out by the Office of Fiscal Responsibility and Regulatory Reform (OFARR).

A motion was made, seconded and carried unanimously to ask the sunset question on a rule by rule basis.

**Action taken:** handle on a rule by rule basis

**Board Director’s Remarks: ..... No tab**

Ms. Kemp advised the members Lucy Gee had retired as Division Director and Cassandra Pasley was the new leader. She also advised Chris Ferguson was now with the Office of Medical Marijuana Use and Mark Whitten was Bureau Chief of Enforcement again.

She reminded the members that session will start January 14, 2020 and she will keep them posted on the status of bills.

She also asked the members to respond to the Doodle Poll when it is sent to them because it affects their travel to and from meetings.

**Committee Reports:**

**Probation Committee..... No tab**

Ms. Goersch provided the report for the meeting held December 5, 2019.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** Report approved

**Rules/Legislative Committee Meeting ..... No tab**

Dr. TerKonda provided the report for the meeting held December 5, 2019.

Dr. TerKonda said the health history questions were passed by a vote of 4-3.

A motion was made to approve the health history questions.

Dr. Averhoff and other members expressed concerns about the questions.

Dr. London asked Ms. Kemp to send the proposed language to all members. The members requested the new questions be put on a document side by side with the proposed language.

Dr. Zachariah left at 3:30 p.m.  
Ms. Goersch left at 3:31 p.m.

Ms. McNulty said she would bring rule language to the next meetings and the rules will be accompanied by updated applications.

Dr. Rosenberg said to schedule this issue for the full board meeting in February, not to Rules Legislative Committee.

The motion was seconded and carried unanimously to approve the report.

**Action taken:** Report approved, health history questions approved, but present again at the February Board Meeting

**Credentials Committee Meeting ..... No tab**

Dr. London gave the report for the meeting held December 5, 2019.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** Report approved

**Anesthesiologist Assistant Joint Committee ..... No tab**

Dr. Vila provided the report for the meeting held December 5, 2019.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** Report approved

**Joint Committee on Surgical Care/Quality Assurance.....No tab**

Dr. Lopez provided the report for the meeting held December 5, 2019.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** Report approved

**Physician Certification Pattern Review Panel..... No tab**

Dr. Lopez provided the report for the meeting held December 5, 2019.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** Report approved

**Council on Physician Assistants:..... No tab**

Dr. Vila provided the report for the meeting held December 5, 2019.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** Report approved

**Department Remarks:..... No tab**

Ms. Dudley advised the members of staff changes in her office.

She presented the year-old case report.

A motion was made, seconded and carried unanimously to authorization continued prosecution.

Ms. Dudley provided an update on cases being appealed. She also presented the data research the members requested regarding foreign body cases.

**Approval of Meeting Minutes: ..... 41**

A motion was made, seconded and carried unanimously to approve the minutes for the meeting held October 4, 2019.

A motion was made, seconded and carried unanimously to approve the minutes for the meeting held August 2, 2019.

**Ratification of Applicants Pursuant to Chapter 458, FS..... No tab**

A motion was made, seconded and carried unanimously to ratify the license lists provided.

**Action taken:** licenses ratified

**Other Business**

Dr. Rosenberg suggested other members attend the annual FSMB meeting. He reminded them Dr. TerKonda was on the Board of Directors.

**New Business**

None

The meeting adjourned at 3:39 p.m.