

AGENDA
CONNECTICUT MEDICAL EXAMINING BOARD
Tuesday, January 17, 2017 at 1:30 PM

Department of Public Health Complex
410 -470 Capitol Avenue, Hartford Connecticut
ROOM 470 C

CALL TO ORDER

I. APPROVAL OF MINUTES

November 15, 2016

II. OPEN FORUM

III. UPDATES

- A. Chair Updates
- B. DPH Updates

IV. NEW BUSINESS

- A. Oral Argument - Proposed Memorandum of Decision
Josef Burton, MD - Petition No. 2014-739

V. OFFICE OF LEGAL COMPLIANCE

- A. Jonathan Parkhurst, MD - Petition No. 2015-1022
Presentation of Consent Order – David Tilles, Staff Attorney, DPH
- B. Jennifer Matthesen, MD - Petition No. 2015-1096
Presentation of Consent Order – Diane Wilan, Staff Attorney, DPH
- C. David Burchenal, MD - Petition No. 2015-1094
Presentation of Consent Order – David Tilles, Staff Attorney, DPH

VI. 120 DAY EXTENSIONS

Wilson Bernales, MD - Petition No. 2015-1579
Mohan Kaza, MD – Petition No. 2015-1108
Mark Melendez, MD – Petition No. 2014-737

ADJOURN

The Department of Public Health is an equal opportunity provider and employer.

*If you require aid/accommodation to participate fully and fairly,
please contact the Public Health Hearing Office at 860-509-7566*

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of November 15, 2016**

The Connecticut Medical Examining Board held a meeting on Tuesday, November 15, 2016 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-C.

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Carol Ekonomides, PA
Robert Green, MD
Eric Hodgson, MD
Michele Jacklin
Edward McAnaney, Esq.
Jean Rexford
Daniel Rissi, MD
C. Steven Wolf, MD
Peter Zeman, MD

BOARD MEMBERS ABSENT

Marilyn Katz, MD
Joseph Kaliko, Esq
Douglas Olson, MD
Andrew Yuan, DO

Ms. Emmett called the meeting to order at 1:30 p.m.

- I. MINUTES**
The draft minutes of the October 18, 2016 meeting were reviewed. Dr. Wolf made a motion, seconded by Dr. Green, to approve the minutes as corrected. The motion passed with all in favor except Dr. Hodgson and Ms. Jacklin who abstained.
- II. OPEN FORUM**
None
- III. UPDATES**
- A. Chair Updates
The index of pending cases was reviewed.

 - B. Department of Public Health
None
- IV. PRESENTATION - HEALTH ASSISTANCE INTERVENTION EDUCATION NETWORK**
Maureen Dinnan, Executive Director provided an annual update regarding the Haven Program and the services offered to participants. Ms. Dinnan reported that of the current 271 participants in the program, 93 are physicians.

V. NEW BUSINESS

A. Request to Modify Consent Order – Avijit Mitra, MD

Attorney Penny Seaman was present with Dr. Mitra. Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Argument was heard from Attorney Seaman and Attorney Tilles regarding Dr. Mitra's request to remove a restriction from a May 19, 2015 Consent Order which permanently prohibits Dr. Mitra from prescribing controlled substances for himself and/or his family, and prohibits the prescribing, administering, or dispensing of buprenorphine in any compound or formulation to any person. Dr. Mitra's request is to incorporate the following language in the Consent Order. "Respondent acknowledges and agrees that it is best practice for him not to prescribe controlled substances for himself, and or his family."

Following considerable discussion Ms. Rexford made a motion, seconded by Dr. Zeman, to deny Dr. Mitra's request for modification of the Consent Order.

The motion to deny the request for modification of the Consent Order passed with all in favor except Ms. Jacklin who was opposed.

B. Proposed Memoranda of Decision

Mohammad Aljanaby, MD - Petition No. 2015-340

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Neither respondent nor his attorney was present.

Dr. Green made a motion, seconded by Dr. Wolf, to adopt the proposed decision.

The motion passed unanimously.

Ms. Emmett signed the Order which revokes Dr. Aljanaby's license.

VI. OFFICE OF LEGAL COMPLIANCE

A. James Bucci, MD - Petition Nos. 2012-306; 2015-479

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Attorney Andrew Wildstein was present on behalf of respondent.

Mr. McAnaney made a motion, seconded by Dr. Hodgson, to adopt the Consent Order. The motion passed unanimously.

Ms. Emmett signed the Order which imposes a license probation for 12 months.

B. David Burchenal, MD - Petition No. 2015-1094

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Attorney Eugene Cooney was present on behalf of respondent.

Ms. Jacklin made a motion, seconded by Mr. McAnaney, to adopt the Consent Order. Following discussion the motion to approve the Consent Order failed unanimously. Dr. Rissi recused himself in this matter.

Dr. Wolf suggested that a three year probation with chart review and practice supervision would be an appropriate remedy. Dr. Green concurred and also suggested an increased civil penalty.

VII. 120 DAY EXTENSIONS

Josef Burton, MD - Petition No. 2014-739 – Hearing completed. A Proposed Memorandum of Decision is being drafted.

Dr. Zeman made a motion, seconded by Mr. McAnaney, to grant a 120 day extension in this matter. The motion passed unanimously.

VIII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 3:08 p.m.

Respectfully submitted,

Kathryn Emmett, Esq., Chairperson