

**Board of Medicine
Probation Committee Meeting
February 27, 2010**

**MINUTES OF THE MEETING
OF THE PROBATION COMMITTEE
FLORIDA BOARD OF MEDICINE**

*Tampa Airport Marriott
Tampa International Airport
Tampa, FL 33607
(813) 879-5151*

February 27, 2010

The meeting of the Probation Committee, Florida Board of Medicine was called to order by Dr. George Thomas, the Acting Committee Chairperson, at 8:00 a.m. on Saturday, February 27, 2010.

Members Present:

H. Frank Farmer, M.D.
Robert Nuss, M.D.
George Thomas, M.D., Acting Chair

Others Present:

Allison Dudley, Esquire, Board Counsel, Attorney General's Office
Reginald Colston, Compliance Officer, Consumer Services Unit-Compliance Management
Elisa Floyd, Regulatory Program Administrator, Consumer Services Unit-Compliance Management
Debbie Troupe, representing the Professionals Resource Network (PRN)
Robert Darling, Court Reporter

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A motion was made to consider Dr. Chadoff as Dr. Lentz's monitor. The motion was made, seconded and carried unanimously that Dr. John Carey would be Dr. Lentz's alternate monitors. The committee recommended that Dr. Lentz submit a payment plan to the Compliance Officer prior to the next meeting for consideration.

Tab 3 Samuel T. Adams, III, M.D.

Dr. Adams appeared before Probation Committee for his first appearance accompanied by Dr. Jeff Armstrong and Ms. Troupe representing PRN. Ms. Troupe stated he is in compliance with his PRN contract.

A motion was made to consider Dr. Armstrong as his monitor. The motion was made, seconded and carried unanimously that Dr. Armstrong as Dr. Adams monitor. The committee reminded Dr. Adams that his monitor reports needed to be in the required format.

No other motions were made, probation continues.

Tab 4 Harold Smith, M.D.

Dr. Smith appeared before the Probation Committee for his quarterly appearance accompanied by Ms. Troupe representing PRN. Ms. Troupe stated he is in compliance with his PRN contract and Compliance Management stated his in compliance with the final order.

No other motions made; probation continues.

Tab 5 Elman El-Sayed, M.D.

Dr. El-Sayed appeared before the Probation Committee with her attorney, John Pellet, accompanied Ms. Troupe representing PRN for her quarterly appearance. Ms. Troupe stated Dr. El-Sayed is in compliance with her PRN contract, and Compliance Management stated she is compliance with the final order. Mr. Pellet stated Dr. El-Sayed's would like to request the committee modify or lift her 2 year probation.

Motion was made by the chairman and second to lift the supervision and probation at the two year mark in April 2010.

Tab 6 Val Manocchio, M.D.

This tab was discussed later.

Tab 7 Samuel Cox, M.D.

Dr. Cox appeared before the Probation Committee for his quarterly report. Dr. Cox stated that he will be opening a private practice in April 2010. The Compliance Management Unit stated that he is not in compliance with the board order nor did Dr. Cox submit the requested employment plan to the Compliance Officer.

The committee made no motions but cautioned Dr. Cox that if he does not submit his employment plan and respondent's reports he will be referred for non-compliance.

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No motions were made.

Tab 8 Tammy Tadam, M.D.

Dr. Tadam appeared before the Probation Committee accompanied Ms. Troupe representing PRN for her quarterly appearance. Ms. Troupe stated Ms. Tadam's PRN contract was extended for 2 years.

No motions were made.

Tab 9 Timothy Eastburn, P.A.

Mr. Eastburn appeared before the Probation Committee for his quarterly appearance accompanied by Ms. Troupe representing PRN. Ms. Troupe stated he is in compliance with his PRN contract. Compliance Management stated he is missing some reports.

No motions were made, probation continues.

Tab 10 Philip Bagenski, M.D.

Dr. Bagenski appeared before the Probation Committee for his final appearance. He requested that the Committee review his file to determine if his probation could terminate early and requested that the committee approve a quarterly graduated payment plan with a balloon payment.

The Committee made a motion recommendation that the full Board review Dr. Bagenski's file for consideration to terminate his probation early. The motion was made, seconded and carried unanimously to have the full Board review Dr. Bagenski's file for consideration to terminate his probation early.

The Committee made a motion that Dr. Bagenski's quarterly graduated payment plan with a balloon payment by denied. The motion was made, seconded and carried unanimously to deny Dr. Bagenski's quarterly graduated payment plan with a balloon payment. The Committee recommended Dr. Bagenski submit a \$500 per quarter payment plan to the Compliance Management Unit.

No other motions were made.

Tab 11 Forsest Arthur, M.D.

This tab was not discussed Dr. Arther is suspended.

Tab 12 Celina Poy-Wing, M.D.

Dr. Poy-Wing appeared before the Probation Committee with her attorney, John Pellet, accompanied by Ms. Troupe representing PRN for her final appearance. Mr. Pellet asked the committee to consider accepting Dr. Poy-Wing's 40 hour CME course taken in lieu of the 20 hours of CME and one-one physical evaluation requirement that her CARES evaluation required. The 40 hour CME course was more comprehensive and detailed.

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The Committee made a motion to consider the 40 hour CME course in lieu of the 20 hours of CME and one-one physical evaluation requirement that her CARES evaluation required. The motion was made, seconded and carried unanimously to accept Dr. Poy-Wing's 40 hour CME course in lieu of the 20 hours of CME and one-one physical evaluation requirement that her CARES evaluation required.

Tab 13 James Fulton, M.D.

Dr. Fulton appeared before the Probation Committee for his quarterly appearance. He submitted to the Committee his quarterly report. Dr. Fulton requested that the committee terminate his probation. The Committee stated that they would review the information at the next meeting.

No other motions were made; probation continues.

Tab 14 Rene Guerra, M.D.

Dr. Guerra appeared before the Probation Committee for the final appearance. Dr. Guerra is in compliance and all obligations have been met. This was Dr. Guerra final appearance.

No motions were made.

Tab 15 Alexander Jungries, M.D.

Dr. Jungries appeared before the Probation Committee for his attorney, Jennifer Leberman. Dr. Jungries is in compliance with the Department. This was Dr. Jungries final appearance.

No motions were made, probation continues.

Tab 16 Thomas Teather, M.D.

Dr. Teather appeared before the Probation Committee. Dr. Teather is in compliance and had nothing to report. This was Dr. Teather final appearance.

No motions were made, probation continues.

Tab 17 Peter Swischuk, M.D.

Dr. Swischuk appeared before the Probation Committee accompanied Ms. Troupe representing PRN for his final appearance. Ms. Troupe stated he is in compliance with his PRN contract and Compliance Management stated he is in compliance with his final order.

No motions were made, probation continues.

Tab 6 Val Manocchio, M.D.

Dr. Manocchio appeared before the Probation Committee accompanied Ms. Troupe representing PRN for his quarterly appearance. Ms. Troupe stated he is in compliance with his PRN contract and doing better; Compliance Management stated he in compliance with his Final Order. Dr. Manocchio stated that he is looking for a new monitor.

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No motions were made, probation continues.

Tab 18 Kenneth Dirusso, P.A.

Mr. Dirusso was not required to attend this Probation Committee Meeting at which his payment plan and conditional reinstatement were presented. The Committee reviewed his request for a payment plan and conditional reinstatement.

The Committee made a motion to deny his payment plan and conditional reinstatement. The motion was made, seconded and carried unanimously to deny his payment plan and conditional reinstatement.

No motions were made.

Tab 19 Venu Menon, M.D.

Dr. Menon was not required to attend this Probation Committee Meeting at which his request for a payment plan was reviewed.

The Committee made a motion to consider Dr. Menon's payment plan. The motion was made, seconded and carried unanimously to accept Dr. Menon's payment plan. Once, Dr. Menon payment is in effect, his license will be reinstated.

No other motions were made.

Tab 20 Enock Joseph, M.D.

Dr. Joseph was not required to attend this Probation Committee Meeting at which his request for a payment plan was reviewed.

The Committee made a motion to deny Dr. Joseph's payment plan. The motion was made, seconded and carried unanimously to deny Dr. Joseph's payment plan. The plan did not include financial hardship information.

No other motions were made.

Tab 21 Gerrard Dileo, M.D.

Dr. Dileo was not required to attend this Probation Committee Meeting at which his request for legal interpretation of his bankruptcy was requested.

Dr. Dileo wants to know if his bankruptcy covers his fines and costs & the costs of the CME's he needs to complete. The committee is referring this matter to Donna Elhrich, Assistant General Counsel for the Department of Health.

No other motions were made.

Tab 22 David Blyweiss, M.D.

Dr. Blyweiss was not required to attend this Probation Committee Meeting at which his request

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to have his license restrictions lifted.

The Committee made a motion to deny Dr. Blyweiss's request to have his licensure restrictions lifted. The motion was made, seconded and carried unanimously to deny his request to have his licensure conditions lifted.

No other motions were made.

QUALITY ASSURANCE REVIEWS/CARES EVALUATION

TAB 23 Umbrine Fatima, M.D.

Dr. Fatima was not required to attend this Probation Committee Meeting at which his CPEP plan was reviewed. Compliance Officer received a letter from Sharon Miller of CPEP.

The Committee made a motion to accept the CPEP plan. The motion was made, seconded and carried unanimously to accept CPEP Plan. Dr. Fatima must clear all other obligation in order to return to practice.

No other motions were made.

Tab 24 Melanie Hecker, M.D.

Dr. Hecker was not required to attend this Probation Committee Meeting at which her Quality Assurance Review was presented.

The Committee made a motion to accept Dr. Hecker's Quality Assurance Review. The motion was made, seconded and carried unanimously to accept Dr. Hecker's Quality Assurance Review.

No Other motions were made.

Tab 25 William Leach, M.D.

Dr. Leach appeared before the Probation Committee with his attorney, John Pellet accompanied by Ms. Troupe representing PRN. Dr. Leach has not practiced since September 2009. His probation is tolled. The committee will review the PRN and Acumen February reports at the May probation committee meeting.

Tab 26 Jeffrey Lubin

Dr. Lubin was not required to attend this Probation Committee Meeting at which his PRN contract.

The Committee made a motion to accept Dr. Lubin's PRN contract. The motion was made, seconded and carried unanimously to accept Dr. Lubin's PRN contract.

Tab 27 Julio Arronte, M.D.

Dr. Arronte was not required to attend this Probation Committee Meeting at which his community service plan was presented for consideration.

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service plan at Gulf Coast Dental Outreach.

Tab 34 Eva M. Yacobi, M.D.

Dr. Yacobi was not required to attend this Probation Committee Meeting at which her community service plan was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Yacobi's community service plan at Congregation Beth Shalom.

Tab 35 Raymond S. Waters, M.D.

Dr. Waters was not required to attend this Probation Committee Meeting at which his community service plan was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Waters's community service plan at Palm Beach County Health Department.

Addendum I Regine Pappas

Dr. Pappas was not required to attend this Probation Committee Meeting at which his community service plan was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Pappas's community service plan at Brevard County Health Department.

Tab 36 Michael Donohoe, M.D.

Dr. Donohoe was not required to attend this Probation Committee Meeting at which his lecture plan was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Donohoe's lecture plan entitled "Wrong site surgery".

Tab 37 Sunita K. McGrath, M.D.

Dr. McGrath was not required to attend this Probation Committee Meeting at which his lecture plan was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. McGrath's lecture plan entitled "_Wrong site surgery."

Tab 38 Alan M. Freedman, M.D.

Dr. Freedman was not required to attend this Probation Committee Meeting at which his lecture outline was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Freedman's lecture outline entitled "Wrong site surgery".

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Tab 39 Thanh Thien Le, M.D.

Dr. Le was not required to attend this Probation Committee Meeting at which his lecture outline was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Le's lecture outline on wrong site surgery.

Tab 40 Mary A. Tugaeon, M.D.

Dr. Tugaeon was not required to attend this Probation Committee Meeting at which his lecture outline was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Tugaeon's lecture outline on wrong site surgery.

Tab 41 Tracy Gapin, M.D.

Dr. Gapin was not required to attend this Probation Committee Meeting at which his lecture outline was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Gapin's lecture outline on wrong site surgery.

Tab 42 Carla D. Chapman, M.D.

Dr. Chapman was not required to attend this Probation Committee Meeting at which his lecture outline was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Chapman's lecture outline on wrong site surgery.

Addendum II Donald J. Moyer, M.D.

Dr. Moyer was not required to attend this Probation Committee Meeting at which his lecture outline was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Moyer's lecture outline on wrong site surgery.

Tab 43 Rose Marie Toussaint, M.D.

Dr. Toussaint was not required to attend this Probation Committee Meeting at which her lecture outline three month extension request was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Toussaint's her lecture outline three month extension request.

Tab 44 Richard E. Gayles, M.D.

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Dr. Gayles was not required to attend this Probation Committee Meeting at which his community service three month extension request was presented for consideration.

A motion was made, seconded, and carried unanimously to approve Dr. Gayles's community service three month extension request.

OTHER BUSINESS

The Committee discussed the 2010 calendar. The Committee discussed the dates and locations for the 2010 meetings. The 2010 dates will be on May 1, August 28 and November 6, 2010. The location of the meetings will change from Tampa to Orlando.

The Probation Committee meeting was adjourned until the next meeting on May 1, 2010.