



DECEMBER 15-16, 2022
BOARD MEETING OPEN MINUTES

December 15, 2022:

MEMBERS PRESENT: Warren Gall, M.D., Chair
Joyce Vista-Wayne, M.D., Vice-Chair
Patricia Fasbender, D.O., Secretary
Jason Meyers, M.D.
Rose Mitchell
Vickie Pyevich, M.D.
Chad Stadvold, D.O.

MEMBERS ABSENT: Eugene Cherny, M.D.

STAFF PRESENT: Jill Stuecker, Division Director
Dennis J. Tibben, MPA, Executive Director
Joseph A. Fraioli, J.D., Legal Director
Anne Schleppehorst, Chief Investigator
Aaron Kephart, Investigator
Brandi Allen, Investigator
Dave McGlaughlin, Investigator
Jerome Hill, Investigator
Laura Wood, Investigator
Michelle DeLong, Investigator
Natalie Anderson, Investigator
Jennifer Ware, Director of Licensure
Marvin Firch, Monitoring Coordinator
Kari Rolls, Administrative Assistant
Kaitie Westphal, Enforcement Support
Alecia Fagen, Enforcement Support
Katie Carl, Assistant Attorney General
Laura Steffensmeier, Assistant Attorney General

At 10:30 a.m., Joseph A. Fraioli, J.D., Legal Director, called the meeting to order.

Dennis J. Tibben, MPA, Executive Director, welcomed everyone and introduced new staff present.

At 10:33 a.m., on a motion by Rose Mitchell, seconded by Patricia Fasbender, D.O., all members present voted to meet in closed session, pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; and pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A. Patricia Fasbender, D.O., Warren Gall, M.D., Jason Meyers, M.D., Rose Mitchell, Vickie Pyevich, M.D., Chad Stadvold, D.O., and Joyce Vista-Wayne, M.D., all voted aye in a roll call vote to approve the motion.

At 4:33 p.m., all members present voted in favor of a motion by Rose Mitchell, seconded by Joyce Vista-Wayne, M.D., to meet in an open session.

Dennis J. Tibben, MPA, Executive Director, provided a staffing update.

At 4:39 p.m., Open Session went to recess. The open session resumed on Friday, December 16, 2022, at 8:004 a.m.

December 16, 2022:

MEMBERS PRESENT: Warren Gall, M.D., Chair
Joyce Vista-Wayne, M.D., Vice-Chair
Patricia Fasbender, D.O., Secretary
Jason Meyers, M.D.
Rose Mitchell
Vickie Pyevich, M.D.
Chad Stadsvold, D.O.

MEMBERS ABSENT: Eugene Cherny, M.D.

STAFF PRESENT: Dennis J. Tibben, MPA, Executive Director
Joseph A. Fraioli, J.D., Legal Director
Anne Schlepphorst, Chief Investigator
Dave McGlaughlin, Investigator
Laura Wood, Investigator
Natalie Anderson, Investigator
Jennifer Ware, Director of Licensure
Marvin Firch, Monitoring Coordinator
Kari Rolls, Administrative Assistant
Kaitie Westphal, Enforcement Support
Alecia Fagen, Enforcement Support
Katie Carl, Assistant Attorney General
Chrissy Greco, Assistant to Executive Director
Laura Steffensmeier, Assistant Attorney General

At 8:04 a.m., Joseph A. Fraioli, J.D., Legal Director, called the meeting to order.

At 8:05 a.m., on a motion by Rose Mitchell, seconded by Patricia Fasbender, D.O., all members present voted to meet in closed session, pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; and pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A. Patricia Fasbender, D.O., Warren Gall, M.D., Jason Meyers, M.D., Rose Mitchell, Vickie Pyevich, M.D., and Chad Stadsvold, D.O., all voted aye in a roll call vote to approve the motion.

At 10:10 a.m., while still in closed session, all members present voted in favor of a motion by Warren Gall, M.D., seconded by Rose Mitchell, to meet in an open session. In open session, the Board took the following actions:

At 10: 12 a.m., public session was called to order. Roll call was taken to establish a quorum. Eugene Cherny, M.D., was absent.

Public in Attendance	
Name	
Sherry Muller	Self
Christopher Law	Self
Michaela Ramm	Des Moines Register
Dylan Keller	Senate Republican Caucus Staff
Jamie Harbach	Iowa Hospital Association
Logan Dunning	Manager of Public Affairs - COPIC Insurance Company

Executive Director's Report - Dennis Tibben, Executive Director.

Mr. Tibben told the Board that the staff has been working on policy and process development in order to make things consistent across the department.

He spoke about technology upgrades that are in the works, to better communication with the public by improving conferencing capabilities.

He noted that the January 2023 meeting would have a guest speaker, possibly two, who would be giving updates on the new CDC guidelines regarding opioids.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., the October 2022 Board meeting minutes were approved.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., the November 2022 teleconference minutes were approved.

On a motion by Joyce Vista-Wayne, M.D., seconded by Warren Gall M.D., the 2023 FY Budget was approved.

On a motion by Patricia Fasbender, D.O., seconded by Vickie Pyevich, D.O., the 2023 Fee Schedule (with no increase in fees) was approved.

Legislative Update & Session Prep – Dennis Tibben, Executive Director

Mr. Tibben spoke about the upcoming legislative session and asked that the Board formally approve him as the Board of Medicine's Lobbyist.

On a motion by Joyce Vista-Wayne, M.D., seconded by Rose Mitchell, the Board of Medicine Executive Director, Dennis Tibben, was approved as the Board of Medicine's Lobbyist.

Administrative Rules – Joseph Fraioli, Legal Director

Mr. Fraioli stated that there was only one topic on administrative rules, which included Public Comment and Request for Rulemaking regarding Emergency Department Prescribing.

Patricia Fasbender, D.O. said she thinks this work is important and believes the Board should begin work on this request for rulemaking.

Mr. Fraioli said that he would work on the rules and have something for the Board to review at the January 2023 Board meeting.

Hearing Update - Joseph Fraioli, Legal Director, said that several hearings are scheduled for 2023 - June 8-9, April 12-14, October 5-6 and possibly August 17-18.

Approval of IPHP Reappointments - Emily Zalasky, IPHP Coordinator

On a motion by Rose Mitchell, seconded by Chad Stadvold, D.O., the Board approved reappointments for Alfred Fleming, Jeanice McCarville Kerber and Timothy Schurman were all granted reappointments for their second three-year terms on the Iowa Physician Health Committee.

Interstate Medical Licensure Compact (IMLC) Update - Patricia Fasbender, D.O., said she attended the annual meeting in Gulf Shores, Alabama. She said that this year alone, the Compact has issued over ten thousand licenses. She said the following states will be joining the Compact - Connecticut, Delaware, Indiana, Rhode Island and New Jersey.

Public session ended at 10:37 a.m.

Chad Stadvold, D.O., advised the Board that the **Screening Committee** reviewed 44 cases, closed 43 and skipped one (1).

On a motion by Rose Mitchell, seconded by Vickie Pyevich, M.D., all Board members present voted to **accept** the Screening Committee Report and its recommendations.

Joyce Vista-Wayne, M.D., advised the Board that the **Monitoring Committee** reviewed 4 cases, approved two (2) requests for termination of a Board Order, approved the request for approval of a Practice Monitor and denied the request for approval of a Practice Monitor. There were no appearances.

On a motion by Chad Stadvold, D.O., seconded by Rose Mitchell, all Board members present voted to **accept** the Monitoring Committee Report and its recommendations.

Patricia Fasbender, D.O., advised the Board that the **Licensure Committee** had two appearances, two (2) cases and two (2) left open.

On a motion by Warren Gall, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **accept** the Licensure Committee Report and its recommendations.

On a motion by Rose Mitchell, seconded by Chad Stadvold, D.O., all Board members present voted to **accept** the combined Statement of Charges and Settlement Agreement for Ravindrakumar Gangadhariah, M.D., file 02-2022-396.

On a motion by Rose Mitchell, seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2017-088, with **no formal action**.

On a motion by Rose Mitchell, seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2021-344, with **no formal action**.

On a motion by Rose Mitchell, seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2021-345, with **no formal action**.

On a motion by Jason Meyers, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2021-325, with **no formal action**.

On a motion by Jason Meyers, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2021-201, with **no formal action**.

On a motion by Jason Meyers, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 03-2021-482, with **no formal action**.

On a motion by Jason Meyers, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 03-2021-483, with **no formal action**.

On a motion by Jason Meyers, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 03-2021-517, with **no formal action**.

On a motion by Jason Meyers, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2020-047, with **no formal action**.

On a motion by Jason Meyers, M.D., seconded by Chad Stadvold, D.O., all Board members present voted to **leave open** file 02-2020-199.

On a motion by Chad Stadvold, D.O., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2022-322, with **no formal action**.

On a motion by Chad Stadvold, D.O., seconded by Jason Meyers, M.D., all Board members present voted to **close** file 06-2021-485, with **no formal action**.

On a motion by Chad Stadvold, D.O., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **close** file 02-2022-282, with **no formal action**.

On a motion by Chad Stadvold, D.O., seconded by Warren Gall, M.D., all Board members present voted to **close** file 02-2016-557, with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Chad Stadvold, D.O., seconded by Rose Mitchell, all Board members present voted to **close** file 02-2020-017, with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Chad Stadvold, D.O., seconded by Vickie Pyevich, M.D., all Board members present voted to **close** file 02-2020-177, with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Chad Stadvold, D.O., seconded by Patricia Fasbender, D.O., all Board members present voted to **close** file 02-2020-184, with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Chad Stadvold, D.O., seconded by Jason Meyers, M.D., all Board members present voted to **close** file 02-2022-479, with **no formal action**.

On a motion by Chad Stadvold, D.O., seconded by Joyce Vista-Wayne, M.D., all Board members present voted to **close** file 02-2022-207, with **no formal action**.

On a motion by Chad Stadvold, D.O., seconded by Warren Gall, M.D., all Board members present voted to **leave open** file 02-2017-061.

On a motion by Chad Stadvold, D.O., seconded by Rose Mitchell, all Board members present voted to **close** file 02-2019-256, with **no formal action**.

On a motion by Chad Stadvold, D.O., seconded by Vickie Pyevich, M.D., all Board members present voted to **close** file 02-2017-476, with **no formal action**. Dennis J. Tibben, MPA, recused.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 03-2019-224, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2021-497, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 03-2021-442, with **no formal action**. Joyce Vista-Wayne, M.D., recused.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2021-273, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2022-242, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2022-251, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2016-651, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2022-298, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2022-337, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 03-2021-136, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2022-342, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **leave open** file 02-2022-462.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **accept** the Notice of Hearing, Statement of Charges and Emergency Adjudicative Order for Ronald S. Bergman, D.O., file 03-2022-625.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 03-2020-004, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2018-353, with **no formal action**.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **leave open** file 02-2022-130.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **leave open** file 02-2021-305.

On a motion by Patricia Fasbender, D.O., seconded by Chad Stadvold, D.O., all Board members present voted to **close** file 02-2022-343, with **no formal action**.

At 10:53 a.m., all members present voted in favor of a motion by Joyce Vista-Wayne, M.D., seconded by Rose Mitchell, to adjourn the meeting.