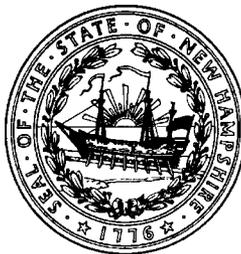


MARK SULLIVAN, P.A.
President

MICHAEL BARR, M.D.
Vice President of the Board

SARAH T. BLODGETT
Executive Director

PENNY TAYLOR
Administrator



LOUIS E. ROSENTHALL, M.D.
Vice President of the Medical Review Subcommittee
AMY FEITELSON, M.D.
ROBERT J. ANDELMAN, M.D.
ROBERT M. VIDAVER, M.D.
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New Hampshire Board of Medicine

121 SOUTH FRUIT STREET, SUITE 301, CONCORD, NH 03301-2412

Tel. (603) 271-1203 Fax (603) 271-6702

TDD Access: Relay NH 1-800-735-2964

WEB SITE: www.nh.gov/medicine

January 9, 2015

Her Excellency, Governor Margaret Wood Hassan
And the Honorable Council
State House
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

Please accept the attached annual report for FY14 of the Board of
Medicine submitted pursuant to RSA 329:19.

Respectfully submitted,

Handwritten signature of Penny Taylor in black ink.
Penny Taylor
Administrator

enclosure

**New Hampshire
Board of Medicine
Annual Report
For Fiscal Year 2014**

January 9, 2015

Pursuant to RSA 329:19

Personnel Data
Organizational Chart

Honorable Governor Margaret Wood Hassan
And the
Executive Council

Joseph D. Kenney
Colin Van Ostern
Christopher T. Sununu
Christopher C. Pappas
Debora B. Pignatelli

Department of Health
and Human Services

<u>New Hampshire Board of Medicine</u>	<u>Appointed</u>	<u>Expires</u>
Mark Sullivan, P.A., President	06/04/08	04/21/18
John H. Wheeler, D.O., Vice President	05/12/10	05/12/15
Amy Feitelson, M.D.	04/21/06	04/21/16
Robert J. Andelman, M.D.	01/25/07	12/03/16
Robert M. Vidaver, M.D., DHHS Commissioner's Designee	Pursuant to RSA 329:2	
Louis E. Rosenthal, M.D.	12/18/08	12/03/16
Robert P. Cervenka, M.D.	05/02/07	07/19/13
Michael Barr, M.D. (Replacing Dr. Perencevich)	08/08/12	04/21/15
Emily R. Baker, M.D. (Replacing Dr. Cervenka)	01/17/14	04/21/19
Gail Barba, Public Member	02/07/07	02/07/17
Daniel Morrissey, O.P., Public Member	07/16/08	12/18/16
Edmund J. Waters, Jr., Public Member	06/23/10	10/14/16

Administrative Staff:

5 Administrative Staff (Executive Director, Administrator, Administrative Supervisor, 2 License Clerks)
2 Investigative Unit Staff (investigator and secretary) and a contracted Physician Investigator

Medical Review Subcommittee
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Christine Fales, Public Member (Resigned)
Nina C. Gardner, Public Member
Mark Iber, PA
Nick P. Perencevich, MD (Resigned)
Louis E. Rosenthal, MD
Ira S. Schwartz, MD
Paul J. Scibetta, Jr., DO (Resigned)
Patricia Sherman, Public Member
Michael Sochat, MD (Resigned)
Linda Tatarczuch, Public Member (Resigned)
Peter H. Wilson, MD

Board of Medicine

Annual Report

Fiscal Year 2014

July 1, 2013 - June 30, 2014

RSA 329:19

ORGANIZATION AND FUNCTION

The Board of Medicine, established in 1897, is responsible for administering the Medical Practice Act, RSA 329. The Board licenses allopathic physicians, osteopathic physicians, and physician assistants. The Board protects the New Hampshire public by carefully reviewing license applications, investigating all consumer complaints, and undertaking disciplinary actions against licensee violations of the Medical Practice Act.

RECEIPTS AND EXPENDITURES

	<u>FY14</u>	<u>FY13</u>
Revenue (actual – medicine)	\$1,034,025	\$1,055,959
Impaired Physicians	\$ 165,835	\$ 175,015
Sale of Publications	\$ 5,386	\$ 6,958
Physician Assistants	<u>\$ 34,615</u>	<u>\$ 33,005</u>
Total	\$1,239,861	\$1,270,937
Expenditures		
Administration & Support	<u>\$924,500</u>	<u>\$841,653</u>
Total	\$924,500	\$841,653
Required to Meet 125%	\$1,155,625	\$1,103,928
Excess of Revenue Over 125%	\$ 84,236	\$ 113,542

OPERATIONS

The Board of Medicine licensed 454 new physicians and 67 physician assistants in fiscal year 2014. There were approximately 3,041 physician licenses renewed and 341 licenses lapsed for non-renewal. Physicians renew on a biennial basis, therefore, approximately ½ of the physicians renew each year. About 478 physician assistants renewed their license in the state during FY14.

The FY 2014 budget has funded the part time Medical Review Subcommittee Investigator. The Medical Review Subcommittee is responsible for investigating complaints against physicians and making disciplinary recommendations to the full Board. The Subcommittee consists of one member of the Board. A physician serves as Subcommittee Investigator. He directs the activities of the subcommittee and provides more direct clinical analysis to the committee's investigations. Nonetheless, the Board anticipates an increased use of specialty physician-consultants to review medical files when allegations of professional misconduct occur.

The Board receives complaints against physicians from a number of sources, including consumer complaints made directly to the Board in person or through the 800-telephone line. During FY 2014, the Board received a total of 459 consumer (patient) complaints, notice of malpractice suits, and/or complaints from other sources, including National Practitioner Database Reports, insurance claim reports and reports of hospital disciplinary action. The average investigation took 12-16 weeks and resulted in 24 formal disciplinary actions. The Board suspended 2 licenses; approved 5 voluntary surrender of licenses; Emergency License Suspension and Notice of Hearing to 1 licensee; issued 6 Final Orders pursuant to a disciplinary hearing and approved 11 Settlement Agreements with licensees. An administrative fine was attached to 7 of those actions. Included in 25 of the disciplinary actions, 6 physicians were required to take additional continuing medical education (CME's) in their area of specialty. The Board also issued 151 confidential letters of concern, which do not represent disciplinary action, but are intended as formal warnings to licensees.

LICENSURE

<u>Physicians</u>	<u>FY2014</u>
Biennial Renewal	3,041
Non-renewal	341
New licenses	454
Temporary licenses	41
Training licenses	145
Reinstatement of license	21

<u>Physician Assistants</u>	<u>FY2014</u>
Licenses Issued	67
Annual Renewal	478

BOARD INVESTIGATIONS

<u>Sources of Notice</u>	<u>FY 2014</u>
Complaints filed	109

(This includes consumer (patient) complaints, notice of malpractice suits, and/or complaints from other sources, including National Practitioner Database Reports, insurance claim reports and reports of hospital disciplinary action)

BOARD ACTIONS

	<u>FY2014</u>
Letters of Concern issued	151
Formal Discipline	25

PUBLIC BOARD ACTIONS TAKEN IN FY 2014

Kenneth Leong, M.D. – License #13774 – Temecula, CA

7/9/13 – The Board of Medicine issued an Order, to dismiss the adjudicatory/disciplinary proceedings in Docket No. 12-16 regarding Dr. Kenneth Leong, regarding an alleged failure to cooperate with the Board and allow Dr. Leong to respond to the claim and the Board to continue its investigation of that claim.

Jonathan B. Warach, M.D. – License #12249 – Dover, NH

7/10/13 – The Board issued an Agreement for Non-Disciplinary Remedial Action for Dr. Warach. On March 6, 2012, the Board approved a preliminary agreement not to practice medicine. Recently, the Board received and reviewed information pertaining to Dr. Warach's neurological conditions. Dr. Warach is afflicted by a neurological disability that impairs his ability to safely practice medicine. As a non-disciplinary remedial action pursuant to RSA 329:17, VI-a, Dr. Warach's license to practice medicine is revoked.

Hasan A. Duymazlar, D.O. – License # 11269 – Center Harbor, NH

7/18/13 – The Board of Medicine issued an Order of Emergency Suspension and Notice of Hearing. The Board has received information indicating that the continued practice of medicine by Dr. Duymazlar presently poses an imminent threat to life, safety and/or health, which warrants the temporary suspension of Dr. Duymazlar license to practice medicine pending a hearing that is scheduled for July 26, 2013.

7/19/13 – The Board of Medicine accepted a Voluntary Surrender of License from Hasan A. Duymazlar, D.O. Dr. Duymazlar relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are allegations that Dr. Duymuzlar wrote a fraudulent prescription for Oxycodone and had it filled at a pharmacy in New Hampshire.

Charlene G. Sanders, M.D. – Narberth, PA

7/19/13 – The Board issued a Final Decision and Order of Denial for Dr. Sanders' application to practice medicine in New Hampshire. Dr. Sanders applied for privileges at Elliot Hospital and during the application process Dr. Sanders provided false information during the credentialing process, which raised questions about Dr. Sanders' judgment.

Genesio W. Biesek, M.D. - Bedford, NH

8/13/13 - The Board of Medicine issued a Settlement Agreement for Genesio W. Biesek, M.D. Dr. Biesek billed numerous patients for somatosensory testing but performed a completely different test. Dr. Biesek's practice did not have the necessary equipment to perform the somatosensory testing. Dr. Biesek billed for direct LDL testing in addition to a full lipid panel that included calculated LDL results. Dr. Biesek entered into a Settlement Agreement with the OIG, in which he agreed to pay \$265,000 to resolve the allegations against him. Dr. Biesek's license is suspended for a period of one year and is required to participate in 20 hours of continuing medical education in the area of ethics. Dr. Biesek is assessed an administrative fine in the amount of \$1500.00.

Marcy K. Traum, M.D. – License #RT-1892 – Philadelphia, PA

9/6/13 - The Board of Medicine accepted Dr. Marcy Traum's voluntary surrender of her New Hampshire training license due to pending issues following her self-reported consumption of alcohol in 2011 in violation of her contract with the New Hampshire Professionals Health Program.

Paul Weinstein, M.D. - License #10850 - North Andover, MA

9/6/2013 - The Board of Medicine accepted a Voluntary Surrender of License from Paul D. Weinstein, M.D. Dr. Weinstein relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are allegations that Dr. Weinstein distributed Oxycodone and resulted in him pleading guilty to four felony counts.

Lancelot Toussaint, M.D. – License # None – Orlando, FL

9/6/13 – The Board of Medicine issued a Final Decision and Order of Denial. Lancelot Toussaint, M.D. initial license application is denied because Dr. Toussaint does not meet the requirements of Med 302.01(d) and Med 303.01(c).

Corinne R. Replogle, M.D. License # 14570 – Durham, NH

10/2/13 - Corinne R. Replogle, M.D. entered into a Settlement Agreement with the Board of Medicine. The Board received information pertaining to Dr. Replogle's prescribing of controlled and non-controlled medications for her significant other. Dr. Replogle is reprimanded and assessed an administrative fine in the amount of \$2,000. Dr. Replogle is required to participate in nine hours of continuing medical education in the area related to ethics.

Arnold D. Scheller Jr. M.D. – License #8835 – Waltham, MA

11/12/13 - On November 12, 2013 the Board of Medicine approved a Settlement Agreement in the matter of Arnold D. Scheller Jr. M.D. Dr. Scheller is reprimanded and shall pay an administrative fine in the amount of \$8,000.00 for letting a nurse practice outside of her scope of practice without a medical license and by failing to evaluate or treat the patients at the facility that he directed himself.

Edward P. Durling, P.A. – License #0463 – Keene, NH

11/19/13 - Edward P. Durling, P.A. entered into a Settlement Agreement with the Board of Medicine. The Board received information pertaining to Mr. Durling's ordering controlled and non-controlled medications from Moore to treat himself and his wife when he was not authorized to do so by his registered supervisory physician. Mr. Durling is reprimanded and assessed an administrative fine in the amount of \$2000.00. Mr. Durling is required to participate in a two-day live program in medical ethics and professionalism, an intensive course in medical record keeping, and a PBI prescribing course by June 30, 2014.

Nicholas J. Olson, M.D. – License #R2179 – Lebanon, NH

11/12/13 - The Board issued a Settlement Agreement for Nicholas J. Olson, M.D. Dr. Olson's license is restricted to require monitoring for substance abuse based on a voluntary admission to treatment program. Dr. Olson is reprimanded and is required to continue treatment and monitoring as specified in the New Hampshire Professional Health Program Monitoring Contract signed June 19, 2013.

Rebeca Alvarez-Altalef, M.D. – License #15173 – Cambridge, MA

1/10/14 – The Board of Medicine approved an Agreement for Non-Disciplinary Remedial Action for Rebeca Alvarez-Altalef M.D. Dr. Alvarez-Altalef was not in compliance with her monitoring contract with the New Hampshire Professionals Health Program (“NH PHP”) for not being consistent with her random urine testing. The Board has received and reviewed information pertaining to Dr. Alvarez-Altalef’s physical and mental disabilities. The Board finds that Dr. Alvarez-Altalef is afflicted with physical and mental disabilities that are currently deemed dangerous to the public health. Dr. Alvarez-Altalef license to practice medicine is restricted through inactivation.

Walter J. Griffiths, M.D. – License# 5661 – Bellows Falls, VT

1/21/14 – The Board of Medicine issued an Order Restoring Unrestricted License. The Board finds that Dr. Griffiths has complied with all provisions of the August 5, 2011 Settlement Agreement and finds that it is appropriate to remove all conditions placed on his medical license at this time. Therefore Dr. Griffiths’ medical license is restored to an unrestricted license.

Mary Jo Montanarella, M.D. – License #8358- Manchester, NH

2/11/14 - The Board approved a Settlement Agreement reached between the Administrative Prosecution Unit and Dr. Mary J. Montanarella, M.D. The agreement included accepting a reprimand from the Board for Dr. Montanarella's failure to obtain court approval before conducting a hysterectomy on a minor.

Joseph B. Savage, M.D. – License #6425 - Goffstown, NH

2/12/14 – The Board of Medicine approved a Settlement Agreement for Joseph Savage, M.D. Dr. Savage is reprimanded and his license suspension is lifted subjected to restrictions placed on his license. He cannot return to solo practice; must be employed as a physician, for as long as he holds a NH medical license, by at least one other physician, or a health care facility with a medical director, who is licensed to practice medicine in the state of NH and must remain under the treatment and monitoring of the NH PHP for as long as he holds a NH medical license.

Ralph Sloan Wilson, M.D. – No License# - Rye, NH

2/12/14 – The Board of Medicine issued a Final Decision and Order in the matter of Ralph Sloan Wilson, M.D. Dr. Wilson is not a licensed physician in New Hampshire, yet he admittedly prescribes a treatment of medicine where he writes a prescription in this State for his continued maintenance medical issues. It is therefore ordered that Dr. Wilson shall cease and desist from writing prescriptions in New Hampshire and is issued an administrative fine in the amount of \$1000.00.

Sayed H. Elsieh, M.D. – License #7300 - Hudson, NH

2/13/14 – The Board issued an Order of Denial for Dr. Elsieh’s reinstatement application to practice medicine in New Hampshire. The Board finds that Dr. Elsieh did not meet his burden of proof in proving that he possesses the necessary educational, character and other professional qualifications to practice medicine in the State of New Hampshire. When completing his reinstatement application, Dr. Elsieh failed to provide all relevant information related to previous work history.

Ashish C. Chaudhari, M.D. – License #11302 – Concord, NH

3/11/14 – The Board of Medicine issued a Final Decision and Order for Ashish Chaudhari, M.D. reprimanding him for failing in his professional responsibility to a patient he was presented with as the on-call emergency room specialist. Dr. Chaudhari is also required to participate in 10 hours of continuing medical education in the areas of infectious diseases and medical ethics.

Jeffrey D. Isaacs, M.D. – License #RT-2198 – Berwyn, PA

3/11/14 – The Board issued a Final Decision and Order for Jeffrey D. Isaacs M.D. Dr. Isaacs obtained a Resident Training license for a training program at Dartmouth-Hitchcock Medical Center ("DHMC"). Dr. Isaacs was subsequently terminated from that program where he allegedly omitted material facts from his application. After a hearing held at the Board of Medicine, it was determined that Dr. Isaacs knowingly made a false statement and further failed to disclose a material fact on his training licensure application. The license of Dr. Isaacs is revoked and he is reprimanded.

Adnan S. Khan, M.D. – License #13404 – Swanzey NH

4/4/14 – The Board of Medicine issued a Settlement Agreement for Adnan S. Khan, M.D. Dr. Khan failed to appropriately diagnose and treat a ventricular fibrillation cardiac arrest. Dr. Khan is reprimanded and required to complete an additional 15 CMEs in the areas of Advanced Cardiac Life Support. Dr. Khan is assessed an administrative fine in the amount of \$1,000.

Richard J. Keller, M.D. – License #11662 – Andover, MA

4/7/14 – The Board of Medicine accepted a Voluntary Surrender of License from Richard J. Keller, M.D. Dr. Keller relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are professional misconduct allegations concerning a plea of guilty in federal district court to indictments of receiving child pornography.

Roger I. Hardy, M.D. – License #8890 – Reading, MA

4/23/14 – The Board of Medicine issued an Order of Emergency License Suspension and Notice of Hearing for Dr. Roger I. Hardy, M.D. The Board has received information indicating that the continued practice of medicine by Dr. Hardy presently poses an imminent threat to life, safety and/or health, which warrants the temporary suspension of Dr. Hardy's license to practice medicine pending a hearing that is scheduled for April 28, 2014. *(Also see action in May 2014)*

Paul M. Ernsting, D.O. – License #9015 – Dover, NH

5/9/14 - On May 9, 2014 the Board issued an Agreement for Non-Disciplinary Remedial Action for Dr. Ernsting. Recently, the Board received and reviewed information pertaining to a medical/physical condition experienced by Dr. Ernsting. Given that information, it appears that Dr. Ernsting currently suffers from a medical disability that impairs his ability to safely practice medicine. As a non-disciplinary remedial action pursuant to RSA 329:17, VI-a, Dr. Ernsting's license to practice medicine is suspended until June 30, 2015, which is the date that his current license is set to expire. If Dr. Ernsting's medical condition changes at some point in the future, he may apply for relicensure.

Roger I. Hardy, M.D. – License #8890 – Reading, MA

4/23/14 – The Board of Medicine issued an Order of Emergency License Suspension and Notice of Hearing for Dr. Roger I. Hardy, M.D. The Board has received information indicating that the continued practice of medicine by Dr. Hardy presently poses an imminent threat to life, safety and/or health, which warrants the temporary suspension of Dr. Hardy's license to practice medicine pending a hearing that is scheduled for April 28, 2014.

5/9/14 – The Board of Medicine accepted a Voluntary Surrender of License from Roger Ian Hardy, M.D. Dr. Hardy relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are professional misconduct allegations concerning claims of inappropriate sexual touching of patients and at least one staff member.

Robin A. Hallquist, M.D. – License #11044 – Twin Mountain, NH

6/4/14 – The Board of Medicine approved a Settlement Agreement for Robin A. Hallquist, M.D. Dr. Hallquist failed to appropriately use recommended safety measures for laser hair removal, resulting in iritis on the patient. Dr. Hallquist is reprimanded and required to participate in a clinical in-service training on laser safety precautions and is subjected to practice restrictions. Dr. Hallquist is assessed an administrative fine in the amount of \$1,000.

Tabled item #
3A
(tabled 1/28/15)

MEMORANDUM

To: Her Excellency, Governor Margaret Wood Hassan
The Honorable Council

From: Sarah T. Blodgett, Executive Director *STB*
NH Board of Medicine

Date: February 11, 2015

Re: Board of Medicine Annual Report

Based upon questions from Councilor Kenney, I have revised the "Operations" section of the NH Board of Medicine's Annual Report. The revised version is attached.

Thank you for your consideration.

MARK SULLIVAN, P.A.
President

MICHAEL BARR, M.D.
Vice President of the Board

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Executive Director

PENNY TAYLOR
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Your Excellency and Members of the Council:

REQUESTED ACTION

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Respectfully submitted,

Handwritten signature of Penny Taylor in cursive script.
Penny Taylor
Administrator

enclosure

**New Hampshire
Board of Medicine
Annual Report
For Fiscal Year 2014**

Amended February 10, 2015

Pursuant to RSA 329:19

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Organizational Chart

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<u>Medical Review Subcommittee</u>	<u>Appointed</u>	<u>Expires</u>
David C. Conway, MD	02/02/11	12/03/16
Christine Fales, Public Member (Resigned)*	02/16/11	11/20/14
Nina C. Gardner, Public Member	12/19/12	12/03/15
Mark Iber, PA	07/14/10	12/09/15
Nick P. Perencevich, MD (Resigned)*	01/17/14	07/08/14
Louis E. Rosenthal, MD	04/22/13	12/03/16
Ira S. Schwartz, MD	02/16/11	01/01/14
Paul J. Scibetta, Jr., DO (Resigned)*	02/02/11	11/20/14
Patricia Sherman, Public Member	07/24/13	06/27/16
Michael Sochat, MD (Resigned)	12/09/09	11/20/14
Linda Tatarczuch, Public Member (Resigned)	06/27/07	06/27/13
Peter H. Wilson, MD	12/05/12	12/03/15
*Replacement nominee submitted to Governor		

Administrative Staff:
5 Administrative Staff (Executive Director, Administrator, Administrative Supervisor, 2 License Clerks)
2 Investigative Unit Staff (investigator and secretary) and a contracted Physician Investigator

Board of Medicine

Annual Report

Fiscal Year 2014

July 1, 2013 - June 30, 2014

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Total	\$924,500	\$841,653
Required to Meet 125%	\$1,155,625	\$1,103,928
Excess of Revenue Over 125%	\$ 84,236	\$ 113,542

OPERATIONS

The Board of Medicine is comprised of the following eleven volunteer members: five physicians; one osteopathic physician; one physician assistant, three public members; and the department of health and human services' commissioner, its medical director, or a designee of the commissioner. With the exception of the commissioner's position, all other members are appointed by the governor with the advice and consent of the council.

The Board of Medicine licensed 454 new physicians and 67 physician assistants in fiscal year 2014. There were approximately 3,041 physician licenses renewed and 341 licenses lapsed for non-renewal. Physicians renew on a biennial basis, therefore, approximately ½ of the physicians renew each year. About 478 physician assistants renewed their license in the state during FY14.

The investigative functions of the board are delegated to the Medical Review Subcommittee (MRSC). The MRSC also consists of eleven volunteer members: seven physicians (including one board member); one physician assistant; and three public members. The MRSC is tasked with investigating all cases of alleged professional misconduct that come to the board. The Board's investigative staff consists of a full-time investigator, a part-time physician investigator (30 hours/month) and a full-time administrative assistant (vacant since September of 2014).

During FY 2014, the Board opened 459 new investigative cases. These cases come from numerous sources, including consumer complaints, filing of malpractice suits, hospital disciplinary actions, and disciplinary reports from other jurisdictions.

Members of the public can file complaints by the following methods:

- Calling the Board office at 1-800-780-4757 or (603) 271-4161;
- E-mailing Board investigator Dori Lefebvre at dori.lefebvre@nh.gov; or
- Mailing a complaint to the Board at 121 South Fruit Street, Concord, New Hampshire 03301-2412. Complaint forms can be found on the Board's website at www.nh.gov/medicine by clicking the link to "Consumers."

Each new case is reviewed by both the physician investigator and Board investigator. Based on this initial analysis, various documents are requested, which can

include licensee responses, relevant medical records, police reports and witness statements.

Once all investigative materials have been received, the physician investigator assigns the case to an MRSC member with the appropriate specialty. The physician investigator and Board investigator are also assigned investigative cases. When a case requires medical expertise that is unavailable at the MRSC, the physician investigator obtains a physician consultant with the appropriate specialty.

The reviewer summarizes his or her findings in a report of investigation and then presents the case to the MRSC. The MRSC votes on an appropriate resolution for the case.¹ The report of investigation, along with the MRSC's recommendation, is forwarded to the Board for final action.

During FY 2014, the Board closed 398 cases, which includes the following actions:

- Issued 151 confidential letters of concern
- Approved 9 Settlement Agreements against licensees
- Approved 5 voluntary surrender of licenses
- Approved 3 non-disciplinary remedial actions
- Denied 3 applications for licensure
- Issued 3 final orders imposing disciplinary sanctions
- Issued 2 emergency suspensions of licenses

¹ Cases may be disposed of by a decision to take no further action, a non-public, non-disciplinary letter of concern, or with public discipline. The Board is statutorily authorized to dismiss a case as frivolous or to take non-disciplinary remedial action.

LICENSURE

<u>Physicians</u>	<u>FY2014</u>
Biennial Renewal	3,041
Non-renewal	341
New licenses	454
Temporary licenses	41
Training licenses	145
Reinstatement of license	21

<u>Physician Assistants</u>	<u>FY2014</u>
Licenses Issued	67
Annual Renewal	478

BOARD INVESTIGATIONS

<u>Sources of Notice</u>	<u>FY 2014</u>
Complaints filed	459

(This includes consumer (patient) complaints, notice of malpractice suits, and/or complaints from other sources, including National Practitioner Database Reports, insurance claim reports and reports of hospital disciplinary action).

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Letters of Concern issued	151
Formal Discipline	22

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7/9/13 – The Board of Medicine issued an Order, to dismiss the adjudicatory/disciplinary proceedings in Docket No. 12-16 regarding Dr. Kenneth Leong, regarding an alleged failure to cooperate with the Board and allow Dr. Leong to respond to the claim and the Board to continue its investigation of that claim.

Jonathan B. Warach, M.D. – License #12249 – Dover, NH

7/10/13 – The Board issued an Agreement for Non-Disciplinary Remedial Action for Dr. Warach. On March 6, 2012, the Board approved a preliminary agreement not to practice medicine. Recently, the Board received and reviewed information pertaining to Dr. Warach's neurological conditions. Dr. Warach is afflicted by a neurological disability that impairs his ability to safely practice medicine. As a non-disciplinary remedial action pursuant to RSA 329:17, VI-a, Dr. Warach's license to practice medicine is revoked.

Hasan A. Duymazlar, D.O. – License # 11269 – Center Harbor, NH

7/18/13 – The Board of Medicine issued an Order of Emergency Suspension and Notice of Hearing. The Board has received information indicating that the continued practice of medicine by Dr. Duymazlar presently poses an imminent threat to life, safety and/or health, which warrants the temporary suspension of Dr. Duymazlar license to practice medicine pending a hearing that is scheduled for July 26, 2013.

7/19/13 – The Board of Medicine accepted a Voluntary Surrender of License from Hasan A. Duymazlar, D.O. Dr. Duymazlar relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are allegations that Dr. Duymazlar wrote a fraudulent prescription for Oxycodone and had it filled at a pharmacy in New Hampshire.

Charlene G. Sanders, M.D. – Narberth, PA

7/19/13 – The Board issued a Final Decision and Order of Denial for Dr. Sanders' application to practice medicine in New Hampshire. Dr. Sanders applied for privileges at Elliot Hospital and during the application process Dr. Sanders provided false information during the credentialing process, which raised questions about Dr. Sanders' judgment.

Genesio W. Biesek, M.D. - Bedford, NH

8/13/13 - The Board of Medicine issued a Settlement Agreement for Genesio W. Biesek, M.D. Dr. Biesek billed numerous patients for somatosensory testing but performed a completely different test. Dr. Biesek's practice did not have the necessary equipment to perform the somatosensory testing. Dr. Biesek billed for direct LDL testing in addition to a full lipid panel that included calculated LDL results. Dr. Biesek entered into a Settlement Agreement with the OIG, in which he agreed to pay \$265,000 to resolve the allegations against him. Dr. Biesek's license is suspended for a period of one year and is required to participate in 20 hours of continuing medical education in the area of ethics. Dr. Biesek is assessed an administrative fine in the amount of \$1500.00.

Marcy K. Traum, M.D. – License #RT-1892 – Philadelphia, PA

9/6/13 - The Board of Medicine accepted Dr. Marcy Traum's voluntary surrender of her New Hampshire training license due to pending issues following her self-reported consumption of alcohol in 2011 in violation of her contract with the New Hampshire Professionals Health Program.

Paul Weinstein, M.D. - License #10850 - North Andover, MA

9/6/2013 - The Board of Medicine accepted a Voluntary Surrender of License from Paul D. Weinstein, M.D. Dr. Weinstein relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are allegations that Dr. Weinstein distributed Oxycodone and resulted in him pleading guilty to four felony counts.

Lancelot Toussaint, M.D. – License # None – Orlando, FL

9/6/13 – The Board of Medicine issued a Final Decision and Order of Denial. Lancelot Toussaint, M.D. initial license application is denied because Dr. Toussaint does not meet the requirements of Med 302.01(d) and Med 303.01(c).

Corinne R. Replogle, M.D. License # 14570 – Durham, NH

10/2/13 - Corinne R. Replogle, M.D. entered into a Settlement Agreement with the Board of Medicine. The Board received information pertaining to Dr. Replogle's prescribing of controlled and non-controlled medications for her significant other. Dr. Replogle is reprimanded and assessed an administrative fine in the amount of \$2,000. Dr. Replogle is required to participate in nine hours of continuing medical education in the area related to ethics.

Arnold D. Scheller Jr. M.D. – License #8835 – Waltham, MA

11/12/13 - On November 12, 2013 the Board of Medicine approved a Settlement Agreement in the matter of Arnold D. Scheller Jr. M.D. Dr. Scheller is reprimanded and shall pay an administrative fine in the amount of \$8,000.00 for letting a nurse practice outside of her scope of practice without a medical license and by failing to evaluate or treat the patients at the facility that he directed himself.

Edward P. Durling, P.A. – License #0463 – Keene, NH

11/19/13 - Edward P. Durling, P.A. entered into a Settlement Agreement with the Board of Medicine. The Board received information pertaining to Mr. Durling's ordering controlled and non-controlled medications from Moore to treat himself and his wife when he was not authorized to do so by his registered supervisory physician. Mr. Durling is reprimanded and assessed an administrative fine in the amount of \$2000.00. Mr. Durling is required to participate in a two-day live program in medical ethics and professionalism, an intensive course in medical record keeping, and a PBI prescribing course by June 30, 2014.

Nicholas J. Olson, M.D. – License #R2179 – Lebanon, NH

11/12/13 - The Board issued a Settlement Agreement for Nicholas J. Olson, M.D. Dr. Olson's license is restricted to require monitoring for substance abuse based on a voluntary admission to treatment program. Dr. Olson is reprimanded and is required to continue treatment and monitoring as specified in the New Hampshire Professional Health Program Monitoring Contract signed June 19, 2013.

Rebeca Alvarez-Altalef, M.D. – License #15173 – Cambridge, MA

1/10/14 – The Board of Medicine approved an Agreement for Non-Disciplinary Remedial Action for Rebeca Alvarez-Altalef M.D. Dr. Alvarez-Altalef was not in compliance with her monitoring contract with the New Hampshire Professionals Health Program (“NH PHP”) for not being consistent with her random urine testing. The Board has received and reviewed information pertaining to Dr. Alvarez-Altalef’s physical and mental disabilities. The Board finds that Dr. Alvarez-Altalef is afflicted with physical and mental disabilities that are currently deemed dangerous to the public health. Dr. Alvarez-Altalef license to practice medicine is restricted through inactivation.

Walter J. Griffiths, M.D. – License# 5661 – Bellows Falls, VT

1/21/14 – The Board of Medicine issued an Order Restoring Unrestricted License. The Board finds that Dr. Griffiths has complied with all provisions of the August 5, 2011 Settlement Agreement and finds that it is appropriate to remove all conditions placed on his medical license at this time. Therefore Dr. Griffiths’ medical license is restored to an unrestricted license.

Mary Jo Montanarella, M.D. – License #8358- Manchester, NH

2/11/14 - The Board approved a Settlement Agreement reached between the Administrative Prosecution Unit and Dr. Mary J. Montanarella, M.D. The agreement included accepting a reprimand from the Board for Dr. Montanarella's failure to obtain court approval before conducting a hysterectomy on a minor.

Joseph B. Savage, M.D. – License #6425 - Goffstown, NH

2/12/14 – The Board of Medicine approved a Settlement Agreement for Joseph Savage, M.D. Dr. Savage is reprimanded and his license suspension is lifted subjected to restrictions placed on his license. He cannot return to solo practice; must be employed as a physician, for as long as he holds a NH medical license, by at least one other physician, or a health care facility with a medical director, who is licensed to practice medicine in the state of NH and must remain under the treatment and monitoring of the NH PHP for as long as he holds a NH medical license.

Ralph Sloan Wilson, M.D. – No License# - Rye, NH

2/12/14 – The Board of Medicine issued a Final Decision and Order in the matter of Ralph Sloan Wilson, M.D. Dr. Wilson is not a licensed physician in New Hampshire, yet he admittedly prescribes a treatment of medicine where he writes a prescription in this State for his continued maintenance medical issues. It is therefore ordered that Dr. Wilson shall cease and desist from writing prescriptions in New Hampshire and is issued an administrative fine in the amount of \$1000.00.

Sayed H. Elsieh, M.D. – License #7300 - Hudson, NH

2/13/14 – The Board issued an Order of Denial for Dr. Elsieh’s reinstatement application to practice medicine in New Hampshire. The Board finds that Dr. Elsieh did not meet his burden of proof in proving that he possesses the necessary educational, character and other professional qualifications to practice medicine in the State of New Hampshire. When completing his reinstatement application, Dr. Elsieh failed to provide all relevant information related to previous work history.

Ashish C. Chaudhari, M.D. – License #11302 – Concord, NH

3/11/14 – The Board of Medicine issued a Final Decision and Order for Ashish Chaudhari, M.D. reprimanding him for failing in his professional responsibility to a patient he was presented with as the on-call emergency room specialist. Dr. Chaudhari is also required to participate in 10 hours of continuing medical education in the areas of infectious diseases and medical ethics.

Jeffrey D. Isaacs, M.D. – License #RT-2198 – Berwyn, PA

3/11/14 – The Board issued a Final Decision and Order for Jeffrey D. Isaacs M.D. Dr. Isaacs obtained a Resident Training license for a training program at Dartmouth-Hitchcock Medical Center ("DHMC"). Dr. Isaacs was subsequently terminated from that program where he allegedly omitted material facts from his application. After a hearing held at the Board of Medicine, it was determined that Dr. Isaacs knowingly made a false statement and further failed to disclose a material fact on his training licensure application. The license of Dr. Isaacs is revoked and he is reprimanded.

Adnan S. Khan, M.D. – License #13404 – Swanzey NH

4/4/14 – The Board of Medicine issued a Settlement Agreement for Adnan S. Khan, M.D. Dr. Khan failed to appropriately diagnose and treat a ventricular fibrillation cardiac arrest. Dr. Khan is reprimanded and required to complete an additional 15 CMEs in the areas of Advanced Cardiac Life Support. Dr. Khan is assessed an administrative fine in the amount of \$1,000.

Richard J. Keller, M.D. – License #11662 – Andover, MA

4/7/14 – The Board of Medicine accepted a Voluntary Surrender of License from Richard J. Keller, M.D. Dr. Keller relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are professional misconduct allegations concerning a plea of guilty in federal district court to indictments of receiving child pornography.

Roger I. Hardy, M.D. – License #8890 – Reading, MA

4/23/14 – The Board of Medicine issued an Order of Emergency License Suspension and Notice of Hearing for Dr. Roger I. Hardy, M.D. The Board has received information indicating that the continued practice of medicine by Dr. Hardy presently poses an imminent threat to life, safety and/or health, which warrants the temporary suspension of Dr. Hardy's license to practice medicine pending a hearing that is scheduled for April 28, 2014. (*Also see action in May 2014*)

Paul M. Ernsting, D.O. – License #9015 – Dover, NH

5/9/14 - On May 9, 2014 the Board issued an Agreement for Non-Disciplinary Remedial Action for Dr. Ernsting. Recently, the Board received and reviewed information pertaining to a medical/physical condition experienced by Dr. Ernsting. Given that information, it appears that Dr. Ernsting currently suffers from a medical disability that impairs his ability to safely practice medicine. As a non-disciplinary remedial action pursuant to RSA 329:17, VI-a, Dr. Ernsting's license to practice medicine is suspended until June 30, 2015, which is the date that his current license is set to expire. If Dr. Ernsting's medical condition changes at some point in the future, he may apply for relicensure.

Roger I. Hardy, M.D. – License #8890 – Reading, MA

4/23/14 – The Board of Medicine issued an Order of Emergency License Suspension and Notice of Hearing for Dr. Roger I. Hardy, M.D. The Board has received information indicating that the continued practice of medicine by Dr. Hardy presently poses an imminent threat to life, safety and/or health, which warrants the temporary suspension of Dr. Hardy's license to practice medicine pending a hearing that is scheduled for April 28, 2014.

5/9/14 – The Board of Medicine accepted a Voluntary Surrender of License from Roger Ian Hardy, M.D. Dr. Hardy relinquishes all rights and privileges to practice medicine in the State of New Hampshire. Before the Board are professional misconduct allegations concerning claims of inappropriate sexual touching of patients and at least one staff member.

Robin A. Hallquist, M.D. – License #11044 – Twin Mountain, NH

6/4/14 – The Board of Medicine approved a Settlement Agreement for Robin A. Hallquist, M.D. Dr. Hallquist failed to appropriately use recommended safety measures for laser hair removal, resulting in iritis on the patient. Dr. Hallquist is reprimanded and required to participate in a clinical in-service training on laser safety precautions and is subjected to practice restrictions. Dr. Hallquist is assessed an administrative fine in the amount of \$1,000.