

ADJUDICATION PANEL MEETING MINUTES
of the
BOARD OF MEDICAL EXAMINERS
301 SOUTH PARK, 4TH FLOOR CONFERENCE ROOM
HELENA, MT
10:00 A.M. TO CONCLUSION
JANUARY 15, 2016

1. Call To Order – Establish Quorum – Roll Call of Board Members Present (10:22:23 AM)

MEMBERS PRESENT – James Feist, MD, Acting Chair; Charles Farmer, AEMT; Professor Ana Diaz, Public Member (Telephonically for part of the meeting); Pat Bollinger, MS, RD; Carole Erickson, Public Member; and Mary Anne Guggenheim, MD

MEMBERS ABSENT - Dwight Thompson, PA, Chair; Professor Ana Diaz (had to leave the meeting after case 3 but a quorum was maintained).

STAFF PRESENT – Graden Hahn, Board Counsel; Mike Fanning, Department Counsel; Ian Marquand, Executive Officer; LaVelle Potter, Compliance Specialist

2. Approval and Tentative Modification of Agenda Order (10:26:23 AM)

Motion: (10:26:26 AM) Ms. Erickson moved to approve the agenda as presented. Ms. Bollinger seconded the motion. The motion passed unanimously

3. Review and Approve November 19, 2015 Minutes (10:26:51 AM)

Motion: (10:26:57 AM) Dr. Guggenheim moved to approve the minutes as presented. Ms. Erickson seconded the motion. The motion passed unanimously.

Review and Approve November 20, 2015 Minutes (10:27:54 AM)

Motion: (10:28:05 AM) Mr. Farmer moved to approve the minutes as presented. Professor Diaz seconded the motion. The motion passed unanimously.

4. Public Opportunity to Comment (10:29:05 AM)

The presiding officer read the statement of public participation. No members of the public were in attendance who wished to comment.

5. Legal Report

6. Panel Action

REQUEST FOR TERMINATION OF PROBATION

a, **Complaint #2011-MED-LIC-116 PEAK, JAMES, M.D. (10:30:19 AM)** Dr. Peak, Mr. Ramirez and Ms. Schmalz from the Montana Professional Assistance Program (MPAP) entered the meeting personally.

RECUSAL: Ms. Bollinger and Dr. Guggenheim recused themselves from the vote. A quorum was maintained.

Motion: (10:49:06 AM) Ms. Erickson moved for the panel to adopt Dr. Peak's petition for termination of his probation as an unrestricted license conditioned to remaining a participant of the Montana Professional Assistance Program in perpetuity. Mr. Farmer seconded the motion. The motion passed unanimously.

PROPOSED RESOLUTION OF DISCIPLINARY ACTIONS

- b. Complaint #2012-MED-LIC-43 BROWNING, DANNY PA (10:51:20 AM)**
RECUSAL: Ms. Bollinger and Dr. Guggenheim recused themselves from the vote. A quorum was maintained.
Motion: (10:59:26 AM) Mr. Farmer moved for the panel to adopt the Stipulation and Final Order that Mr. Browning will, within thirty days, pay an administrative fine of \$500.00 with \$500.00 stayed for 12 months, and reimburse the board costs of \$500.00. Professor Diaz seconded the motion. The motion passed unanimously.
- c. Complaint #2014-MED-LIC-340 DAVIS, JOHN, D.O. (11:59:47 AM)**
Motion: (11:04:21 AM) Dr. Guggenheim moved for the panel to adopt the Final Order of Default for an indefinite suspension of Dr. Davis' Montana license. Ms. Erickson seconded the motion. The motion passed unanimously.
- d. Complaint #2014-MED-LIC-839 LIETZKE CHRISTIANA, M.D. (11:04:57 AM)**
Motion: (11:09:52 AM) Ms. Bollinger moved for the panel to adopt the Stipulation and Final Order initiating an indefinite suspension of Dr. Lietzke's medical license. Mr. Farmer seconded the motion. The motion passed unanimously. Professor Diaz had to leave the meeting at the conclusion of this case.
- e. Complaint #2014-MED-LIC-1364 IVERSON, SCOTT AEMT (11:11:54 AM)**
Motion: (11:17:30 AM) Mr. Farmer moved for the panel to adopt the Final Order by Default initiating an indefinite suspension of his AEMT license. Ms. Erickson seconded the motion. The motion passed unanimously.

7. Adjourn (11:18:05 AM)

Motion (11:18:15 AM) Dr. Guggenheim moved for the panel to adjourn the meeting. Ms. Erickson seconded the motion. The motion passed unanimously.

REVIEWED ON March11, 2016