

NEW MEXICO MEDICAL BOARD
Interim Board Meeting – September 27, 2024
2055 S. Pacheco Street, Suite 400
Santa Fe, NM 87505

MINUTES

MEETING MADE PUBLIC VIA ZOOM AND TELECONFERENCE

Members Present: Karen Carson, MD, Chair
Kathy Johnson, PA, Vice Chair
Kristin Reidy, DO
Paul Roth, MD
Michael Richards, MD
Mark Unverzagt, MD
Jeannine Daniels, Public Member

Video Conferencing: Bradley Scoggins, DO, Secretary Treasurer (arrived at)
Eileen Barrett, MD

Others Present: Amanda Quintana, Interim Executive Director
Tom Banner, Esq. – Special Counsel
Steven M. Jenkusky, Medical Director
Debbie Rodriguez, Investigations Manager
Monique Parks, Licensing Manager
David Dominguez-Maez, Investigator
Vanessa Martinez, Investigator
David Duhigg, Investigator
Ann Pacheco, Administrative Assistant
Samantha Breen, Quality Assurance Analyst

1. CALL TO ORDER / ROLL CALL

Dr. Carson, after establishing the presence of a quorum, called the September 27, 2024, Board Meeting of the New Mexico Medical Board to order at 8:35 am, roll call was completed.

2. APPROVAL OF AGENDA

MOTION was made by Dr. Carson to approve the agenda. **SECONDED:** Dr. Reidy **YES:** Dr. Carson, Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Ms. Daniels, Dr. Roth and Dr. Richards. **EXCUSED:** Dr. Scoggins. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

Tabled until November meeting

4. **EXECUTIVE SESSION: Complaint Committee Reports, Licensing Requests, Action.**

MOTION was made by PA Johnson to go into Executive Session pursuant to Section 10-15-1(H) (1) of the Open Meetings Act to discuss matters pertaining to the issuance, suspension, renewal or revocation of a license and disciplinary matters. **SECONDED:** Dr. Reidy. **YES:** Dr. Carson, Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Ms. Daniels, Dr. Roth and Dr. Richards. **EXCUSED:** Dr. Scoggins. **MOTION CARRIED.**

OPEN SESSION

The Board returned to open session. Dr. Carson stated for the record that the matters discussed in executive session were limited only to those specified in the motion for closure.

5. **ACTIONS RELATED TO EXECUTIVE SESSION**

Complaint Committee A:

Committee A [KC]

Case#NMMB-20240331 Recommendation was made by Dr. Carson Complaint offering PA applicant the chance to withdraw her application for licensure while under investigation and notification to NY Medical Board will be made. If PA applicant does not accept, a notice of contemplated action will be issued to deny licensure based on, but not limited to, habitual/excessive use of alcohol or substances. **YES:** Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Dr. Scoggins, Ms. Daniels, Dr. Roth and Dr. Richards. **RECUSED:** Dr. Carson. **MOTION CARRIED.**

Case#NMMB-20240332 Recommendation was made by Dr. Carson offering physician applicant the chance to withdraw his application for licensure while under investigation. If physician applicant does not accept, a notice of contemplated action will be issued to deny licensure based on, but not limited to, interaction with patients and others that could reasonably be expected to affect patient care, conduct likely to harm and misrepresentation on an application. **YES:** Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Dr. Scoggins, Ms. Daniels, Dr. Roth and Dr. Richards. **RECUSED:** Dr. Carson. **MOTION CARRIED.**

MOTION was made by Dr. Carson to go into Executive Session pursuant to NMSA 1978, Section 10-15-1 (H)(7) of the Open Meetings Act, Sections 10-15-1 to 10-15-4, the NM Medical Board may close portions of its meeting subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant, or when the Board wants to consult with its attorney about a lawsuit the Board has initiated or is considering initiating, or when the Board wants to consult with its attorney about actual legal disputes that have not yet reached the courts." See Board of County Commissioners, Luna County v. Ogden, 1994-NMCA-010, ¶ 15, 117 N.M. 181, 185, 870 P.2d 143, 147. **SECONDED,** Dr. Reidy. **YES:** Dr. Carson, Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Dr. Scoggins, Ms. Daniels, Dr. Roth and Dr. Richards. **MOTION CARRIED.**

OPEN SESSION

The Board returned to open session. Dr. Carson stated for the record that the matters discussed in executive session were limited only to those specified in the motion for closure.

6. **Licensing Request and Actions, New Applicants/Reinstatement**

William Moon, Board Prosecutor and Mina Unruh, Rony Salloum’s Attorney, were given 10 minutes to present to the board.

IMO: Rony Salloum, M.D. – Case No. 2023-026 – Review and Decision on the Hearing Officer’s Report.

MOTION was made by Dr. Carson to accept the Hearing Officer’s Report and Proposed Findings of Fact with changes to page 52, remove number 8. Page 54, number 24 remove the wording pre-operative and throughout the report and on page 49 change date from November 16, 2023, to November 16, 2024. **Motion** was made by Dr. Carson to accept the Hearing Officer’s Proposed Findings of Fact. **SECONDED**, Dr. Unverzagt **YES:** Dr. Carson, Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Dr. Scoggins, Ms. Daniels, Dr. Roth and Dr. Richards. **MOTION CARRIED.**

MOTION was made by Dr. Carson to reference the Prosecutors Report Conclusions of Law and will accept on page 4, a and numbers 15, 16, 17, 18, 19 and 20. On B, accept 61-6-15-D 29 numbers 21, 22 A and B. On C the Board concludes, as a matter of law that Dr. Salloum did not violate 61-6-15-D-12, item D the Board concludes, as a matter of law that Dr. Salloum did not violate 61-6-15-D-18, on E the Board concludes, as a matter of law Dr. Salloum did not violate 61-6-15-D-36, on F the Board concludes, as a matter of law Dr. Salloum did not violate 61-6-15-D-21c, on G the Board concludes, as a matter of law that Dr. Salloum did not violate 16.10.8.8 NMC and 16.10.8.9 NMAC Breach of Medical Ethics. **SECONDED**, Dr. Unverzagt . **YES:** Dr. Carson, Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Dr. Scoggins, Ms. Daniels, Dr. Roth and Dr. Richards. **MOTION CARRIED.**

MOTION was made by Dr. Carson to Issue a Reprimand for violation of the Medical Practice Act and motion to reactivate Dr. Salloum’s license without stipulation. **SECONDED**, Dr. Unverzagt . **YES:** Dr. Carson, Dr. Barrett, Dr. Unverzagt, PA Johnson, Dr. Reidy, Dr. Scoggins, Ms. Daniels, Dr. Roth and Dr. Richards. **MOTION CARRIED.**

7. **Reports**

- **Chair Report**
- **Board Attorney Report**

8. **Old Business**

FSMB Grant/Data Analytics Update

Dr. Unverzagt and Mr. Dominguez-Maez gave a brief discussion of the FSMB Grant/Data Analytics which will improve the Board efficiency and the quality of the Board’s decision making.

8. **Adjourn**

There being no further business before the Board, Dr. Carson adjourned the meeting at 1:00 p.m.

SUBMITTED BY: _____
Amanda Quintana, Interim Executive Director

DATE:

APPROVED BY: _____
Karen Carson, M.D., Chair

DATE:

APPROVED BY: _____
Bradley Scoggins, D.O., Secretary

DATE: