

New Mexico Medical Board
2055 South Pacheco Street
Building 400
Santa Fe, NM 87505

February 1-2, 2024
New Mexico Medical Regular Board Meeting

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/83140102469?pwd=M1diTzRtZmNiNUkxR1ltNzBkNG1SQTO9>

ZOOM Meeting ID: 831 4010 2469 Passcode: 947330 Or go to the Board's Website
at <https://www.nmmb.state.nm.us/> to find the Zoom Meeting Link.

AGENDA

Thursday, February 1, 2024 - 8:30 a.m.

- 8:30 1. Call to Order
2. Approve Agenda
- 8:40 3. HPWP Report [portions may be closed**]
- 9:15 4. Informal Compliance Interviews [Portions may be closed**] [AQ]
9:15: Vijay Agarwal, MD (KC) Olan Bertrand Bassett, MD (EA)
9:30: Patrick Dunphy, PA (B. Scog)
9:45: Alexandra Cotter, PA (KR)
10:00: Rosemarie Freymark, MD (MU) Charlesly Joseph, MD (PB)
10:15: Claire Pultz, PA (KC) Don Hedges, MD (KC)
- 10:30 5. **BREAK**
- 10:45 6. Complaint Committee Reports [closed*]
- A. Licensees and Applicants
- Committee A:** 2022-A-159; NMMB-20230080; NMMB-20230124; NMMB-20230300
Possible Advisory Letter: NMMB-20230116; NMMB-20230142; NMMB-20230144;
NMMB-20230250 **Possible Action:** NMMB-20230308 [EB]
- Committee B:** 2023-B-027; NMMB-20230133; NMMB-20230161; NMMB-20230172;
NMMB-20230201; NMMB-20230228; NMMB-20230315 **Possible Advisory Letter:**
NMMB-20240022; **Possible Action:** 2022-B-036 [MU]
- Committee C:** NMMB-20230060; NMMB-20230078; NMMB-20230126; NMMB-
20230305 **Possible Advisory Letter:** 2022-C-035; NMMB-20230188 **Possible Action:**
NMMB-20230128; NMMB-20230156; NMMB-20230248; NMMB-20230277 [KC]

Committee D: 2022-D-158; NMMB-20230086; NMMB-20230094; NMMB-20230132; NMMB-20230136; NMMB-20230180; NMMB-20230198; NMMB-20230278 **Possible Advisory Letter:** NMMB-20230074; NMMB-20230131; NMMB-20230157 **Possible Action:** NMMB-20230077 [BS]

B. Executive Committee Report [portions may be closed*]

11:30 7. Actions Related to Executive Session

Complaint Committee A

Complaint Committee B

Complaint Committee C

Complaint Committee D

12:30 Lunch

1:30 8. Licensing Requests and Actions, New Applicants/Reinstatements

IMO: Mark Erasmus, MD- Case No. 2023-011 –Review and Decision of the Hearing Officer’s Report

IMO: John Hanley, PA- Case No. 2023-038 – Review and Decision of Motion for Default Action

2:00 9. Reports - [portions may be closed]**

A. Executive Director

B. Chair Report

C. Medical Director

- Medical Spa Guidance Statement
- Proposed Board of Nursing Regulations on Medical Spas
- Foreign Trained Doctors handout

D. Licensing Manager

- IMO: Application of Samir Roy, MD

E. Finance

- Audit Firm Porch & Associates, LLC will present the FY23 Annual Financial Audit
- Approve the FY23 Annual Financial Audit
- FY24 NM Medical Board Expenditure Status Report – Ending December 31, 2023
- FY24 NM Medical Board Revenue Status Report – Ending December 31, 2023
- FY24 NM Medical Board Statistics Report – Ending December 31, 2023
- C2 Funding Status for Licensing System Modernization Project – Ending January 31, 2024

FRIDAY, February 2, 2024 – 8:30 a.m.

9:00 10. Rule Hearing:

- 16.10.2 NMAC – Physicians: Licensure Requirements
- Transfer Podiatry Rules from RLD to NMMB

10:00 11. Informal Interviews Continued [portions may be closed*]

10:00: Gordon Lee, MD (PB)	John Mohs, MD (EB)
10:15: Jeffrey Neidhart, MD (MU)	Danielle Ortega, PA (KJ)
10:30: Flanagan Whitsitt, MD (KR)	Sterling Williams, MD (B. Scog)
10:45: Francisco Ralls, MD (EA)	Matthew Cody, MD (KC)
11:00: Peter Tiernan, MD (KC)	

11:00 12. Compliance Requests / Actions [portions may be closed*]

Claire Pultz, PA – Possible Re-activation
Peter Tiernan, MD – Possible Action
Matthew Cody, MD – Request for Release
Don Hedges, MD – Possible Action

11:15 13. Government Affairs Consultant Report – Richard Romero

- Legislative Update

11:30 14. New Business:

11:45 15. Old Business

- FSMB Recommendations Committee
- IV Drip Committee
- Telemedicine Rules Committee

12:00 16. Adjourn

*" Pursuant to NMSA 1978, Section 10-15-1 (H) (1) of the Open Meetings Act, Sections 10-15-1 to 10-15-4, the NM Medical Board may close portions of its meeting to discuss certain matters pertaining to a particular license. All final actions concerning a license will be made in an open meeting."

** "Pursuant to NMSA 1978, Section 10-15-1 (H) (2) of the Open Meetings Act, Sections 10-15-1 to 10-15-4, the NM Medical Board may close portions of its meeting to discuss limited personnel issues."

*** " Pursuant to NMSA 1978, Section 10-15-1 (H)(7) of the Open Meetings Act, Section s 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."

Initials in red are members recused in disciplinary cases.

Initials in blue indicate who will address the agenda item.