



**DIVISION OF MEDICAL QUALITY
QUARTERLY MEETING**

*Action may be taken on any
items listed on the agenda*

MEMBERS OF THE DIVISION

*Cesar A. Aristeiguieta, M.D.,
President
Barbara Yaroslavsky,
Vice President
Stephen R. Corday, M.D.,
Secretary
Steve Alexander
John Chin, M.D.
Dorene Dominguez
Shelton Duruisseau, Ph.D.
Reginald Low, M.D.
Mary L. Moran, M.D.
Ronald L. Moy, M.D.
Janet Salomonson, M.D.
Ronald H. Wender, M.D.
Frank V. Zerunyan*

July 27, 2007

**Embassy Suites
250 Gateway Boulevard
South San Francisco, CA 94080
(650) 589-3400**

AGENDA

ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE

TIBURON/SAUSALITO ROOM

Friday, July 27, 2007

8:00 a.m. – 10:00 a.m. OPEN SESSION

1. CALL TO ORDER; ROLL CALL
2. Approval of Orders Restoring License Following Successful Completion of Probation, Orders Issuing Public Letter of Reprimand, and Orders for License Surrender During Probation
3. Approval of the April 27, 2007 Minutes
4. Legislation and Regulation Update (For Items A and B, refer to legislative packet and regulation matrix.)
 - A. 2007 Legislation
 - B. Status of Regulatory Action
5. Consideration of Proposal to Amend Oral Argument Regulations (Kirchmeyer/Zerunyan/Heppler)
6. Division Chief's Report (Threadgill)
 - A. Medical Expert Program Survey
 - B. Expert Utilization Report
7. Vertical Enforcement Update/Progress Report (Ramirez/Threadgill)
8. Discussion of Federal and California Appellate Decisions Pertaining to Medical Marijuana (Deputy Attorneys General Simon and Mercer)

The mission of the Medical Board of California is to protect healthcare consumers through the proper licensing and regulation of physicians and surgeons and certain allied healthcare professions and through the vigorous, objective enforcement of the Medical Practice Act.

9. Proposed Designation of Precedential Decisions pursuant to Government Code §11425.60 (Scuri)
 - A. In the Matter of the Accusation Against Joseph J. Basile, M.D. (Case No. 03-2000-108170 and OAH No. N2002050521)
 - B. In the Matter of the Accusation Against Tod H. Mikuriya, M.D. (Case No. 12-1999-98783 and OAH No. N2002110020)
10. Report Regarding Practice Monitoring Conditions (Lynda Swenson)
11. Report on Surgical or Procedural Deficiencies (William Norcross, M.D.)
12. Diversion Program Report (Valine)
 - A. Program Status
 - B. DEC Member Re-Appointments
 - C. Consideration of Proposals to Amend/Add Regulations
 1. Regulatory Criteria for Admission to and Termination from the Diversion Program
 2. Criteria for the Ordering of a Clinical Competency Examination
 3. Response to Relapses
13. Items for November 2007 Division Meeting
14. Public Comment on Items Not on the Agenda
15. Adjournment

PANEL A: Dr. Aristeiguieta (Chair), Mr. Alexander, Dr. Chin, Dr. Duruisseau, Ph.D., Dr. Low & Dr. Moran

UNION SQUARE/GHIRADELLI ROOM

Friday, July 27, 2007

1:00 p.m. OPEN SESSION

CALL TO ORDER; ROLL CALL

Oral Argument on Nonadopted Proposed Decision

1. FISCHBEIN, Stuart James, M.D.

1:45 p.m. *CLOSED SESSION – Nonadopted Proposed Decision

FISCHBEIN, Stuart James, M.D.

2:00 p.m. OPEN SESSION

Oral Argument on Nonadopted Proposed Decision

2. HALIL, Saihb Sinuhe

**The Division and/or Panel of the Division will convene in Closed Session, as authorized by Government Code Section 11126(c)(3), to deliberate on disciplinary decisions and stipulations.*

For additional information, call A. Renee Threadgill, Chief of Enforcement, at (916) 263-2389. Listed times are approximate and may be changed at the discretion of the President/Chair.

2:45 p.m. *CLOSED SESSION – Nonadopted Proposed Decision

HALIL, Saihb Sinuhe

3. Deliberation on disciplinary matters, including decisions and stipulations.

OPEN SESSION

Adjournment

PANEL B: Ms. Yaroslavsky (Chair), Dr. Corday, Ms. Dominguez, Dr. Moy, Dr. Salmonson, Dr. Wender & Mr. Zerunyan

TIBURON/SAUSALITO ROOM

Friday, July 27, 2007

1:00 p.m. OPEN SESSION

CALL TO ORDER; ROLL CALL

***CLOSED SESSION**

4. Deliberation on disciplinary matters, including decisions and stipulations.

OPEN SESSION

Adjournment

Meetings of the Medical Board of California are open to the public except when specifically noticed otherwise in accordance with the Open Meetings Act. The audience will be given appropriate opportunities to comment on any issue presented in open session before the Board, but the President may apportion available time among those who wish to speak.

For additional information call (916) 263-2389.

NOTICE: The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request to the Board no later than five working days before the meeting by contacting Teresa Schaeffer at (916) 263-2389 or sending a written request to Ms. Schaeffer at the Medical Board of California, 1426 Howe Avenue, Suite 54, Sacramento, CA 95825. Requests for further information should be directed to the same address and telephone number.