The members of the Missouri State Board of Registration for the Healing Arts convened on October 17-19, 2018, at Missouri Council of School Administrators Building, 3550 Amazonas Drive, Jefferson City, Missouri 65109.

**Board Members Present:**
- Jade A. James, MD, President
- Sarah Martin, PhD, Secretary
- James A. DiRenna, Jr., DO, Member
- Jeffrey S. Glaser, MD, Member
- Katherine Mathews, MD, Member
- David A. Poggemeier, MD, Member
- David E. Tannehill, DO, Member

**Staff Present:**
- Connie Clarkston, Executive Director
- James Leggett, Associate Executive
- Bridget Otto, Executive Assistant
- Kayci Hollingsworth, Associate Executive Assistant
- Katie Struemph, General Counsel
- Hong Chen, Associate General Counsel
- Jana Jacobs, Associate General Counsel
- Adam Grayson, Contract Legal Counsel
- Whitney Long, Paralegal
- William Smittle, DO, Chief Medical Officer
- William Voss, DO, Medical Staff
- Sarah Dunn, DO, Contract Medical Consultant
- John Krautmann, MD, Contract Medical Consultant
- Douglas Wheeler, DO, Contract Medical Consultant
- Michelle Heislen, Enforcement Supervisor
- Sidney Conklin, Chief Investigator
- John Cisper, Probation Supervisor
- Tim Giger, Probation Supervisor
- John Short, Probation Supervisor
- Tonya Gammill, Investigator II
- Howard Hammers, Investigator II
- Richard Maxwell, Investigator II
- Maggie McDowell, Investigator II
- Kevin Moroney, Investigator II
- Kerry Placeway, Investigator II
- Richard Schurman, Investigator II
- Elizabeth Stevens, Investigator II
- Curtis Wirths, Investigator II
- Kim Brester, Administrative Services Coordinator
- Rachel Hatfield, Licensing Supervisor
The order of the items reflected in these minutes is not necessarily reflective of the order in which the items were reviewed and discussed by the Board.

**Appearance Agenda** - Dr. James chaired the meeting during the Appearance Agenda and the Board voted the following actions be taken:

Motion made by Dr. Tannehill and seconded by Dr. Mathews to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. James, Dr. Martin, Dr. Mathews and Dr. Tannehill voted in favor of the motion. Dr. Glaser and Dr. Poggemeier were not present. Motion carried unanimously.

Motion made by Dr. Glaser and seconded by Dr. Poggemeier to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews and Dr. Poggemeier voted in favor of the motion. Dr. Martin and Dr. Dr. Tannehill were not present. Motion carried unanimously.

Dowden, Deborah L., MD (Automatic Revocation Hearing) 2017-006810

On November 13, 2017, Deborah L. Dowden, MD, entered a guilty plea in the United States District Court for the Eastern District of Missouri to one (1) count of Making False Statements Relating to Health Care Matters, a felony offense and violation of Title 18 U.S. C. Section 1035. The case arose out an incident, occurring on September 6, 2016, wherein Dr. Dowden knowingly and willfully made false statements in connection with the delivery of and payment for health care services to a health care benefit program by representing that she had a valid medical license and had actually provided services to a patient; when in fact, Dr. Dowden knew said statements and representations were false, as she did not have a valid medical license and had previously vacated her office. Per the Board’s delegated authority, on March 2, 2018, Dr. Dowden was sent a Consent Order for revocation of her physician license for seven (7) years, which was returned to the Board office on June 11, 2018, marked “undeliverable as addressed.” An automatic revocation hearing was scheduled on August 3, 2018, but was continued to the October 2018 meeting due to improper service. Dr. Dowden was not present and was not represented by counsel.

Motion made by Dr. Glaser and seconded by Dr. Poggemeier to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews and Dr. Poggemeier voted in favor of the motion. Dr. Martin was not present. Motion carried unanimously.

Jeffrey A. Hassenflug, M.D. (Automatic Revocation Hearing) 2017-004472

On December 15, 2016, the Board received a referral from the Kansas City Star stating that Jeffrey A. Hassenflug, MD, was indicted by a federal grand jury in Kansas City, Missouri, on charges of distributing and receiving child pornography over the internet and possessing child pornography of a victim younger than twelve (12) years old. On June 16, 2017, the Texas Medical Board suspended Dr. Hassenflug’s license based upon said charges. On April 24, 2018, Dr. Hassenflug entered a plea agreement with the United States Attorney’s Office for the Western District of Missouri wherein he pled guilty to one (1) count of

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Distribution of Child Pornography over the Internet. Dr. Hassenflug was remanded to the custody of the US Marshall while awaiting sentencing. On May 14, 2018, the Board’s delegated authority directed legal counsel to offer a settlement agreement for a seven (7)-year revocation.

An automatic revocation hearing was scheduled to be held before the Board on October 19, 2018. However, through his legal counsel, J.R. Hobbs, the Board office was notified that Dr. Hassenflug signed the Consent Order to Revocation of his license for seven (7) years in lieu of holding the hearing before the Board.

**Howard Setzer, DO (Automatic Revocation Hearing)** 2017-001196
On January 22, 2018, Howard Setzer, DO, entered guilty pleas in the Circuit Court of St. Charles County, Missouri, in case number 1711-CR00424-01, to four (4) counts of Sodomy – 2nd Degree; one (1) count of Commission of a Fraudulent Insurance Act; one (1) count of Making a False Statement or Misrepresentation to Receive Health Care Payment; and one (1) count of Attempted Sodomy – 2nd Degree. On June 28, 2018, the Board’s delegated authority directed legal counsel to offer a settlement agreement for a seven (7)-year revocation.

Dr. Setzer’s attorney, Mark Gonnerman, requested a continuance due to counsel’s late entry of appearance, Dr. Setzer being out of state until October 16, 2018, and Dr. Setzer being unavailable on October 19, 2018. The continuance was granted by Dr. James.

**Timothy E. Beyer, DO (Probation Violation Hearing)** 2018-001662
On December 5, 2017, Timothy E. Beyer, DO, entered into a settlement agreement with the Board wherein he was placed on probation for period of three (3) years. The settlement agreement was based on a disciplinary action imposed by the Minnesota Board of Medicine in May 2017. On March 19, 2018, the probation supervisor assigned to monitor Dr. Beyer filed a report stating Dr. Beyer is in violation of the agreement because he failed to renew his license and comply with the stipulations set forth in the settlement agreement. During an interview with the probation supervisor, Dr. Beyer contended he was the under impression that renewing his license was optional, and the stipulations in the settlement agreement were contingent upon whether or not her obtained a license to practice in Missouri. During its July 2018 conference call, the Board voted to issue a Consent Order for Voluntary Surrender and schedule Dr. Beyer for a Probation Violation Hearing. As of September 2018, Dr. Beyer failed to comply with the conditions of the settlement agreement.

Dr. Beyer requested and was granted a continuance for the October Board meeting due to personal health complications as well as scheduling conflicts. The Board continued Dr. Beyer’s hearing to the January 2019 Board meeting.

**Jessup, Michael J. MD (Disciplinary Hearing)** 2015-003379
The Board received information from the Bureau of Narcotics and Dangerous Drugs (BNDD) and authorities in Scott County, Missouri, alleging that Michael J. Jessup, MD, was inappropriately prescribing narcotics and engaging in sexual relationships with patients. Specifically, Dr. Jessup allegedly was prescribing Percocet to a woman, her husband, and her children. The woman, an employee of Dr. Jessup, is the end user of the medication. Dr. Jessup has allowed this employee to access medical records and fill out her own charts. Upon receiving the patient medical records, the complaint review committee voted to perform a routine investigation. During its June 2018 conference call, the Board voted to file this case, regarding the over-prescribing allegations, with the Administrative Hearing Commission (AHC). Dr. Jessup failed to answer and the AHC granted a default decision to
the Board; this case was set for a disciplinary hearing before the Board at the October 2018 Board Meeting.

A request for a continuance was submitted by Dr. Jessup’s attorney, Michael Barth, due to his late entry of appearance. Dr. James granted the continuance.

**Closed Agenda** - Dr. James chaired the meeting during the Closed Agenda.

**Executive Session** - Dr. James chaired the meeting during the Closed Agenda.

Motion made by Dr. Glaser and seconded by Dr. Poggemeier to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. James, Dr. Mathews and Dr. Poggemeier voted in favor of the motion. Dr. Martin and Dr. Tannehill were not present. Motion carried unanimously.

**General Business Agenda** - Dr. James chaired the meeting during the General Business Agenda and the Board voted the following actions be taken:

**Prerogatives of the Chair**

1. Currently the Board's approved continuing medical education (CME) courses are offered in a face-to-face setting. Dr. James suggested adding online courses to the list of approved CME courses.

   Motion made by Dr. Tannehill and seconded by Dr. Poggemeier to direct staff to add any online courses previously approved by the Chief Medical Officer to the CME list. Dr. DiRenna, Dr. James, Dr. Mathews, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. Martin was not present. Motion carried unanimously.

2. The Board held a discussion about exploring an additional category of licensure to distinguish the physician who is practicing in a non-clinical setting or providing indirect patient care.

   Motion made by Dr. Martin and seconded by Dr. Glaser to direct legal staff to research other states’ options for nonclinical type licenses. Dr. DiRenna, Dr. James, Dr. Mathews and Dr. Poggemeier voted in favor of the motion. Dr. Martin and Dr. Tannehill were not present. Motion carried unanimously.

**Impaired Physicians Committee Update** – Dr. DiRenna provided the Board with an update from the August 2018 Impaired Physicians Committee Meeting. This committee did not meet in October 2018.

Dr. DiRenna and Ms. Chen provided the Board with an update of the Safe Haven clause that the Impaired Physicians Committee will finalize at their January 2019 meeting.

**Investigative Agenda** - Dr. Martin chaired the meeting during the Investigative Agenda.

Motion made by Dr. DiRenna and seconded by Dr. Glaser to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Motion carried unanimously.

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Motion made by Dr. Tannehill and seconded by Dr. Glaser to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Motion carried unanimously.

Licensure Agenda - Dr. James chaired the meeting during the Licensure Agenda.

Motion made by Dr. Mathews and seconded by Dr. Tannehill to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews and Dr. Tannehill voted in favor of the motion. Dr. Glaser and Dr. Poggemeier were not present. Motion carried unanimously.

Motion made by Dr. Tannehill and seconded by Dr. Glaser to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Dr. Martin was not present. Motion carried unanimously.

Motion made by Dr. Tannehill and seconded by Dr. Mathews to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Dr. Martin was not present. Motion carried unanimously.

Motion made by Dr. Tannehill and seconded by Dr. Glaser to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Dr. Martin was not present. Motion carried unanimously.

Motion made by Dr. Tannehill and seconded by Dr. Glaser to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Dr. Martin was not present. Motion carried unanimously.

Malpractice Agenda - Dr. Poggemeier chaired the meeting during the Malpractice Agenda.

Motion made by Dr. Tannehill and seconded by Dr. Glaser to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Martin, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Motion carried unanimously.

Motion made by Dr. DiRenna and seconded by Dr. Poggemeier to go into closed session pursuant to sections 610.021 (1), (5), (7) and (14), 324.001 (8) and (9) RSMo. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Mathews, Dr. Poggemeier, and Dr. Tannehill voted in favor of the motion. Dr. Martin was not present. Motion carried unanimously.

MSI Agenda - Dr. Tannehill chaired the meeting during the Medical Staff Interview (MSI) Agenda.

Adjournment
Motion made by Dr. Mathews and seconded by Dr. DiRenna to adjourn. Dr. DiRenna, Dr. James, Dr. Mathews and Dr. Poggemeier voted in favor of the motion. Dr. Martin and Dr. Tannehill were not present. Motion carried unanimously.