The members of the Missouri State Board of Registration for the Healing Arts convened on April 11-12, 2019, at Missouri Council of School Administrators Building, 3550 Amazonas Drive, Jefferson City, Missouri 65109.

**Board Members Present:**
Jade D. James, MD, President
James A. DiRenna, Jr., DO, Member
Jeffrey S. Glaser, MD, Member
David A. Poggemeier, MD, Member
David E. Tannehill, DO, Member

**Board Members Absent:**
Sarah Martin, PhD, Secretary
Katherine Mathews, MD, Member

**Staff Present:**
Connie Clarkston, Executive Director
James Leggett, Associate Executive
Bridget Otto, Executive Assistant
Kayci Hollingsworth, Associate Executive Assistant
Kyle Maddox, Information Support Coordinator
Katie Struemph, General Counsel
Hong Chen, Associate General Counsel
Jana Jacobs, Associate General Counsel
Whitney Long, Paralegal
William Smittle, DO, Chief Medical Officer
William Voss, DO, Medical Staff
Sarah Dunn, DO, Contract Medical Consultant
Gerald Cupp, MD, Contract Medical Consultant
Leslie Scott, MD, Contract Medical Consultant
James R. Ennis, DO, Contract Medical Consultant
John Krautmann, MD, Contract Medical Consultant
Michelle Heislen, Enforcement Supervisor
Sidney Conklin, Chief Investigator
John Cisper, Probation Supervisor
Tim Giger, Probation Supervisor
John Short, Probation Supervisor
Kim Brester, Administrative Services Coordinator
Rachel Hatfield, Licensing Supervisor
Courtney Dawson, Processing Technician III
Angie Rummerfield, Senior Office Support Assistant
Lori Croy, DIFP - Director of Communications
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 and Dr. Tannehill chaired the meeting during the Appearance Agenda.

9. Jain, Abhishek, MD 2017-007243

The Board received a complaint reporting Abhishek Jain, MD, was accused of sexually abusing two (2) women during separate pain clinic examinations. Dr. Jain was arrested for two (2) counts of Sodomy in the Second Degree and two (2) counts of Sexual Abuse in the Second Degree. In both cases, Dr. Jain inappropriately touched the patients’ vaginal areas; both patients presented without illness that would require Dr. Jain to conduct such exam. At its August 2018 meeting, the Board voted to schedule Dr. Jain for a probation violation hearing. Prior to holding a probation violation hearing, the Board received a copy of Dr. Jain’s plea agreement and sentencing forms from the St. Louis Prosecuting attorney’s office and the matter was set for an automatic revocation hearing.

Dr. Jain was not present nor was legal counsel present on behalf of Dr. Jain. Ms. Katie Struemph represented the Board during the automatic revocation hearing and Mr. Adam Grayson served as the Board’s legal advisor.

**Closed Session**

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

10. Dean, Philip D., MD 2018-001631

The Board obtained information regarding the indictment of Philip D. Dean, MD, for false statements made to healthcare benefit programs as well as distribution of drugs without a legitimate medical purpose. On August 22, 2018, the Board received a felony plea agreement and indictment and was advised that sentencing was set for November 20, 2018. On February 5, 2019, the matter was set for automatic revocation hearing before the Board.

Dr. Dean was not present; however, Dr. Dean was represented by legal counsel, William Stahlhuth, who was present on behalf of Dr. Dean. Ms. Jana Jacobs represented the Board during the automatic revocation hearing and Ms. Katie Struemph served as the Board’s legal advisor.

**Closed Session**

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. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. James, Dr. Martin and Dr. Mathews were not present. Motion carried unanimously.

**Closed Session**

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. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. James, Dr. Martin and Dr. Mathews were not present. Motion carried unanimously.
11. Rosenschein, Guy R., MD 2017-003548

On November 8, 2016, Guy R. Rosenschein, MD, was arrested for possession of child pornography, after an investigation revealed that other pornographic images involving children had been electronically transmitted via an IP address registered to his home address. While law enforcement searched his home, they found an underage male in Dr. Rosenschein's bed, whom Dr. Rosenschein identified as a former patient. On November 18, 2016, the New Mexico Board filed a Notice of Contemplated Action and summarily suspended Dr. Rosenschein's license. Subsequently, the New Mexico Board found Dr. Rosenschein in default and revoked his license. On March 15, 2019, this matter was set for automatic revocation hearing.

On April 11, 2019, Dr. Rosenschein signed a Consent Order with the Board and the matter was settled. No hearing was held for this matter.

12. Gupta, Sameer, MD 2017-003588

On June 16, 2017, the Board received a report from the Federation of State Medical Boards (FSMB Report) indicating that Sameer Gupta, MD, entered into an order with the Minnesota Board of Medical Practice (Minnesota Board) wherein he voluntarily surrendered his medical license. On June 11, 2018, a complaint was filed with the Board in this matter. A Motion for Continuance was filed on or about July 5, 2018, on behalf of Dr. Gupta. The motion was granted and disciplinary hearing continued. On August 3, 2018, Dr. Gupta's attorney filed a Motion for Stay requesting a stay from the disciplinary hearing altogether or to reschedule at a later date. A disciplinary hearing was set before the Board for its April 2019 meeting.

Dr. Gupta was present for the hearing and was represented by Johnny Richardson, Brydon, Swearingen & England, P.C. Mr. Adam Grayson represented the Board during the automatic revocation hearing and Ms. Katie Struemph served as the Board's legal advisor.

Closed Session

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

Closed Session

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. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. James, Dr. Martin and Dr. Mathews 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

There were no prerogatives of the Chair.

Approval of Minutes

The following minutes were submitted to the Board for review and approval.

a. January 17-18, 2019 Board Meeting
b. February 24, 2019 Board Conference Call

c. March 10, 2019 Board Conference Call

Motion made by Dr. Glaser and seconded by Dr. Poggemeier to approve the open meeting minutes listed above as submitted. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. Martin and Dr. Mathews were not present. Motion carried unanimously.

**Federation of State Medical Boards Representative**

Ms. Clarkston provided an update to the Board regarding a future meeting with Jeffrey D. Carter, MD, presenting with and from FSMB.

The Board expressed interest in this meeting. Ms. Clarkston advised that if any Board members have questions or particular topics of interest, they should direct such to office staff and their inquiries will be passed along to Dr. Carter for implementation into future discussion.

**Legislation**

Ms. Clarkston discussed various legislative proposals; however, this was a discussion item only and the Board took no action.

**Impaired Physician Liaison Committee Update**

Dr. James provided the Board an update from the Impaired Physician Liaison Committee.

1) Prerogatives of the Chair
2) Approval of Open Meeting Minutes
3) The Ranch – Provider
4) BoardPrep Recovery Center – Provider
5) Video-Based Communication Assessment (VCA)
6) Center for Professional Recovery – Provider

Motion made by Dr. DiRenna and seconded by Dr. Glaser to table inclusion of The Ranch (Nunnelly, Tennessee) as an approved treatment provider until Board staff can conduct a site visit and report back to the Board on its findings. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. Martin and Dr. Mathews were not present. Motion carried unanimously.

Motion made by Dr. Tannehill and seconded by Dr. DiRenna to table inclusion of BoardPrep Recovery Center (Tampa, Florida) as well as Center for Professional Recovery (Malibu, California) as approved treatment providers until Board staff can conduct a site visit and report back to the Board on its findings; and to implement this action as protocol prior to bringing potential treatment providers to the Board for approval. Dr. DiRenna, Dr. Glaser, Dr. James, Dr. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. Martin and Dr. Mathews were not present. Motion carried unanimously.

**Federation of State Medical Boards Resolutions**
The Federation of State Medical Boards House of Delegates Meeting is set to take place on April 27, 2019. The Board discussed the following resolutions and its stance thereof in preparation for the meeting.

A. 19-1 Taskforce - In Favor
B. 19-2 Update Ethics - In Favor
C. 19-3 Guidelines for Non ABMS Organizations - In Favor
D. 19-4 Emergency Licensure Following a Natural Disaster - In Favor
E. 19-5 Informed Consent Policy - Not in Favor
F. 19-6 Opioid Addiction in the Medical Office Policy - In Favor
G. 19-7 Physician Impairment - In Favor

License Types – Review of 50 States
Ms. Struemph provided the Board with an update on a project that is currently pending with Legal Staff. This was a discussion item only and no action was taken by the Board.

Additional Business
Dr. James recognized Dr. DiRenna for his recent appointment into presidency for the Missouri State Medical Association.

Closed Session
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. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. Martin and Dr. Mathews were not present. Motion carried unanimously.

Closed Session
Motion made by Dr. Tannehill 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. Poggemeier and Dr. Tannehill voted in favor of the motion. Dr. James, Dr. Martin and Dr. Mathews were not present. Motion carried unanimously.

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

Malpractice Agenda - Cases for Discussion - Dr. Poggemeier chaired the meeting during the Malpractice Agenda.

Medical Staff Interview Agenda - Cases for Discussion - Dr. Tannehill chaired the meeting during the Medical Staff Interview Agenda.

Medical Staff Interview–Letter of Warning Agenda - Cases for Discussion - Dr. Tannehill chaired the meeting during the Medical Staff Interview–Letter of Warning Agenda.

Executive Session- Dr. James chaired the meeting during the Executive Session.

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