



**Tennessee Board of Medical Examiners
Regular Board Meeting**

Tuesday, November 12, 2024

MINUTES

The regular board meeting of the Tennessee Board of Medical Examiners was called to order at 9:00 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Stephen Loyd.

Board members present: Stephen Loyd, MD, President
Samantha McLerran, MD, Vice President
Michael Bittel, Consumer Member, Secretary
John Hale, MD
Deborah Christiansen, MD
Keith Anderson, MD
Todd Tillmanns, MD
James Diaz-Barriga, Consumer Member
Randall Pearson, MD
Ricky Shelton, Consumer Member

Staff present: Francine Baca-Chavez, JD, Office of General Counsel
Michael Varnell, JD, Office of General Counsel
Kavita Vankineni, MD, Medical Consultant
Stacy Tarr, BME Executive Director
Brandi Allocco, Administrative Director
Rachel LaMascus, Board Administrator

The meeting was called to order by Dr. Loyd with a moment of silence for those affected by the flooding in northeast Tennessee. Dr. Loyd made a brief statement thanking Dr. Melanie Blake for her time on the Medical Board. Having determined a quorum with ten members present, Dr. Loyd opened the meeting with a roll call of members and staff present.

ELECT OFFICERS

a. President

Dr. Samantha McLerran nominated Dr. Stephen Loyd for President. Dr. Randall Pearson seconded the motion. Motion to close the floor by Dr. John Hale. Dr. Randall Pearson seconded the motion. The motions passed unanimously after roll call vote.

b. Vice President

Mr. Michael Bittel nominated Dr. Samanta McLerran for Vice President. Dr. John Hale seconded the motion. Motion to close the floor by Dr. Keith Anderson, seconded by Mr. Ricky Shelton. Motions passed unanimously after roll call vote.

c. Secretary

Dr. Randall Pearson nominated Mr. Michael Bittel for Secretary. Motion seconded by Dr. Keith Anderson. Motion to close the floor for nominations by Mr. Ricky Shelton, seconded by Dr. John Hale. Motions passed unanimously after roll call vote.

APPOINTMENT OF DEVELOPMENT COMMITTEE MEMBERS

Dr. Loyd began the discussion for appointing members to the Development Committee. Historically the Board's Vice President is the chair of Development Committee. Mr. Bittel asked to have an overview of the work of the Development Committee, which Dr. Loyd provided.

Motion made by Dr. Loyd to have the 3 Board officers be standing members of the Development Committee and invite other members to sit on the panel based on topics being covered. Motion seconded by Mr. Shelton. Motion passed unanimously after roll call vote.

CONSIDERATION OF APPLICATIONS

Medical X-Ray Operator Applicant Interview(s):

Tyler Vincent, MDXL – appeared before the Board without legal representation. Mr. Vincent is an applicant for a limited scope x-ray operator licensure by reciprocity in the areas of chest, extremities, and spine modalities. He currently holds an active license in Texas for chest, extremities, and spine. Motion by Dr. Christiansen to grant the limited license, seconded by Mr. Diaz-Barriga, motion passed.

Medical Doctor Applicant Interview(s):

Dominique Chang, MD – appeared before the Board with her legal representative, Mr. David Steed. Dr. Chang is an International Medical School graduate who has not completed 3 years of ACGME training. Dr. Chang completed a one-year pain fellowship in New York that is ACGME accredited. Applicant completed anesthesia residency in Trinidad. Dr. Chang submitted for the Board's consideration a petition for Declaratory Order. Mr. Steed requests the Board consider Dr. Chang's application under the provisions of Public Chapter 211. The Board consulted with Ms. Baca-Chavez and due to the employer not having an ACGME accredited training program, the provisional license requirements are not met. Dr. Christiansen motions to grant the petition for declaratory order. Friendly amendment by Dr. Anderson to add the application be tabled for 6 months to allow the declaratory order process to be completed. Dr. Christiansen agreed to the friendly amendment. Motion seconded by Dr. McLerran. Motion passed.

Ziv Beckerman, MD – appeared before the Board with his legal representative, Megan Fraser. Dr. Beckerman is an Internation Medical School graduate who has not completed 3 years of ACGME training. Dr. Beckerman completed cardiothoracic surgery residency and congenital heart surgery fellowship in Israel. Completed one year of ACGME congenital heart surgery fellowship in Texas then one year of non-ACGME advanced aortic fellowship in Georgia. Dr. Seth Karp is Surgeon in Chief and Chair of Department of Surgical Sciences at Vanderbilt University Medical Center. Dr. Karp spoke in support of Dr. Beckerman who has submitted a petition for declaratory order. Motion by Dr. Christiansen to table application for up to 6 months and approve petition for declaratory order, seconded by Dr. Hale. Motion passed.

Lorna Workman, MD – appeared before the Board with her legal representative, Ms. Kimberly Silvas. Dr. Workman completed her education and training in England and Australia. Dr. Workman has no ACGME training, did not take USMLE exam, and does not have ECFMG. Dr. Workman spoke to the Board about her education and training and reason for applying for the license. Dr. Mark Rice spoke in support of Dr. Workman’s petition. Motion by Dr. McLerran to table application for up to 6 months and approve petition for declaratory order, seconded by Dr. Christiansen. Motion passed.

Timothy Ramsden, MD – appeared before the Board without legal representation. Dr. Ramsden is an applicant for initial licensure who is a Board-Certified Ob-Gyn and has an active license in Florida. Dr. Ramsden intends to work in Anti-aging and wellness in Tennessee. Dr. Ramsden has recent Board action in Florida, DEA action and a Tennessee Medical Foundation (hereinafter “TMF”) referral for boundary issues and the complaint to the DEA. Dr. Michael Barron from TMF spoke on behalf of Dr. Ramsden and his recommendation is for Dr. Ramsden to complete a boundary course. The Board questioned and had a discussion with Dr. Ramsden.

Motion by Dr. Christiansen that license granted contingent on taking a boundaries course, similar to Vanderbilt’s or equivalent, approved by Board Consultant. Once course is completed the license would be issued and be placed on probation for 2 years. Applicant would need to appear before the Board to have probation lifted. While license is in a probationary status Dr. Ramsden could not supervise mid-levels or be the medical director of a Med-Spa. Friendly amendment by Dr. McLerran to add a prescribing course along with the boundary course. Dr. Christiansen accepted the friendly amendment. Motion seconded by Dr. McLerran. Question by Dr. Vankineni regarding current DEA restrictions on prescribing level schedule 2 medications. Dr. Christiansen amended her motion to include the DEA restrictions, so they mirror the restrictions in Florida. Dr. McLerran seconded. Roll call vote: yes votes: Dr. McLerran, Dr. Christiansen, and Dr. Loyd, no votes: Mr. Bittel, Mr., Shelton, Dr. Hale, Dr. Anderson, Dr. Pearson, Mr. Diaz-Barriga, Dr. Tillmanns, motion failed. After failed, vote Dr. Ramsden chose to withdraw his application.

John Lee, MD – appeared before the Board without legal representation. Dr. Lee is an applicant for initial licensure who holds an active license in Texas and a TMF referral. Dr. Michael Barron spoke on Dr. Lee’s behalf. Dr. Lee is in a recovery program and his primary monitor is the Texas Physician Health Program, which he is in full compliance with. Dr. Lee has accepted a locum position in Tennessee for a few weeks prior to a position in New York. TMF would be a secondary monitor for the duration of his license or the length of his monitoring agreement, whichever is shorter. Motion by Dr. McLerran to grant a conditional license, condition is maintaining TMF advocacy. Second by Dr. Anderson. After discussion and clarifying that approving a conditional license is reported to NPDB, Dr. Lee chose to withdraw his application.

The Board took a brief break.

CONDUCT NEW BUSINESS

- a. Discuss and take action as needed regarding Tennessee Medical Foundation (herein after TMF) Update – Dr. Michael Baron, Medical Director: Dr. Baron provided the Board with his yearly update. Dr. Baron will be speaking at the Federation of State Physicians Health Programs and Federal State Medical Boards Conference combined session in Seattle in April 2025. Dr. Baron shared an overview description of a course he co-teaches at Vanderbilt. He also discussed the number of participants, other professions TMF consults on, and new referrals. Dr. Baron updated the Board on the Tennessee Professional Screening Questionnaire (hereinafter “TNPSQ”). The TNPSQ in a wellness tool to

address depression, burnout, suicide, and other mental health problems among Tennessee's licensed health professionals served by the Tennessee Medical Foundation. Dr. Baron requests an email blast to all medical doctors with the TNPSQ wellness tool after the first of the year.

Update on recent grant funding from Opiate Abatement Council.

Motion by Mr. Bittel to blast email to all licensees with the TNPSQ wellness tool, seconded by Dr. Christiansen. Friendly amendment by Dr. Hale to have email sent every 6 months. Amendment accepted by Mr. Bittel and Dr. Christiansen. Motion passed.

- b. Discuss and take action as needed regarding FSMB's Draft Recommendations from Advisory Commission on Additional Licensing Models. Ms. Tarr informed the Board of an informational email that was distributed to all Board members. The Board members can submit their responses to Ms. Tarr individually.
- c. Discuss and take action as needed regarding updated rules for Public Chapter 929. The Board began the process of promulgating rules and the September 2024 meeting. Ms. Baca-Chavez presented the updated rules for Public Chapter 929 based on the requested amendments made in September. Motion by Dr. Anderson to accept the rules as written, seconded by Mr. Diaz-Barriga, motion passed.

The Board recessed for lunch.

- d. Discuss and take action as needed regarding Public Chapter 211 FAQ. Ms. Tarr presented the Board with the current FAQs for Public Chapter 211 and proposed changes. Dr. Christiansen motioned to approve the proposed changes. Dr. McLerran seconded, motion passed.
- e. Discuss and take action as needed regarding X-ray rule 0880-05.04(3). Dr. Vankineni presented the rule and reason for the request to have out of state x-ray education determination be delegated to the Board Consultant. Motion by Dr. McLerran to accept the rule change as written. Ms. Baca-Chavez clarified that the question before the Board is does the Board want to delegate this determination to the Board Consultant. Dr. McLerran withdrew her first motion. Dr. McLerran made a new motion to give the Medical Consultant the ability to approve x-ray applicants in accordance with interstate policy, if qualified, second by Mr. Bittel, motion passed.
- f. Discuss and take action as needed regarding presentation on high-risk prescribers and discuss and vote on High-Risk Prescriber Policy. Ms. Tracy Alcock, Deputy General Counsel for the Department, presented the Board with current data on high-risk prescribers, how the Top 20 prescriber list is compiled, and the data points used. A robust discussion was held regarding the information Ms. Alcock presented. It is the position of the Office of General Counsel that T.C.A. 68-1-128c(4) indicates that the licensees must comply with all parts of T.C.A. 68-1-128c(3) and that the Board may take disciplinary action if the requirements are not followed. Motion by Dr. Anderson to follow the law and high-risk prescribing physicians must abide by and complete steps A, B, C, and D. Second by Dr. McLerran. Discussion among the Board. Motion passed.
Ms. Alcock reviewed the high-prescriber CME course lists. Mr. Bittel made a motion to accept the CME courses, with removing course 4 and updating all course links. Second by Dr. Christiansen. Ms. Alcock notified the Board that there is a 4th course, PDI that has been reviewed and vetted. Friendly amendment by Dr. Anderson to accept the PDI course, amendment was accepted. Motion passed.

The Board took a brief break.

ORDERS OF COMPLIANCE

[**Alexander Alperovich, MD***](#) – appeared before the Board with his legal representative Ms. Patti T. Cotton. Ms. Francine Baca-Chavez presented the Order of Compliance. The petition requests the Board lift the probation on Dr. Alperovich’s medical license. It is the position of the Disciplinary Coordinator and the Office General Counsel that he is compliant with the terms of his previous order. Dr. McLerran motions to accept the order of compliance, second by Dr. Christiansen. Motion passes.

[**Thomas Helton, MD***](#) – appeared before the Board with his legal representative Ms. Renee L. Stewart. Ms. Francine Baca-Chavez presented the Order of Compliance. The petition requests the Board lift the probation on Dr. Helton’s medical license. It is the position of the Disciplinary Coordinator and the Office of General Counsel that he is compliant with the terms of his previous order. Dr. Hale motions to accept the order of compliance, second by Mr. Bittel. Motion passes.

Lance Dozier, MD – did not appear before the Board and a personal appearance is required. Ms Baca-Chavez and her office will reach out to Dr. Dozier to have his appearance before the Board be rescheduled to January 2025.

DISCIPLINARY ORDERS

Consent Order(s)

[**William Hickerson, MD***](#) – did not appear before the Board nor did a legal representative. Ms. Jessica Turner represented the State. Dr. Anderson and Dr. Pearson recused themselves. Motion to approve the order by Dr. Hale, second by Dr. McLerran, motion passed.

[**Kathy Cornelius, MD***](#) – did not appear before the Board nor did a legal representative. Ms. Jessica Turner represented the State. Motion to approve the order by Dr. Christiansen, second by Mr. Diaz-Barriga, motion passed.

[**Robert Jamieson, MD***](#) – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Candace Garner represented the State. Dr. Hale motions to approve the order. Dr. McLerran seconds, and the motion passes.

Agreed Order(s)

[**Thomas Klinner, MD***](#) – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Regan Cothron represented the State. Dr. McLerran motions to approve the order. Dr. Christiansen seconds, and the motion passes.

COMMITTEES AND TASKFORCE REQUESTS FOR AGENDA ITEMS.

a. Development Committee. Dr. Loyd requests that Development Committee look at the Top 20 high-prescribers and concern Dr. Anderson brought up during the high-risk prescriber presentation by Ms. Alcock. Ms. Tarr also asked that the committee discuss the current FAQs and update as needed.

CONSIDER AND APPROVE CONSENT AGENDA

Dr. Christiansen motions to accept the consent agenda. Dr. McLerran seconds the motion, and it passes. The Consent Agenda contained the following:

1. Approval of September 24-25, 2024, Board of Medical Examiners Meeting minutes
2. Ratification of new licenses, reinstatement and renewals of Medical Doctors, MD X-Ray Operators, Genetic Counselors, Surgical Assistants
3. Review of the Office of Investigations
4. Review report from the Administrative Office
5. IMLCC License Report
6. Review report from the Office of General Counsel Report

CONDUCT NEW BUSINESS (CONTINUED)

- g. Discuss and take action as needed regarding Retrospective rule review project pursuant to 2021 Public Chapter 328. Ms. Baca-Chavez presented the Board with a packet of rules in its entirety. The changes that are being proposed are changes that will align the rules with current laws and or practices. A robust discussion took place regarding the proposed rule changes especially Rule 0880-02-.08, number of attempts to pass each USMLE step, Rule 0880-02-.14(9) treatment of chlamydia, and Rule 0880-02-.14(6) controlled substances for treating chronic pain. Motion by Dr. McLerran for Rule 0880-02-.08(2)(c) to make 4 the maximum number of exam attempts. Second by Mr. Bittel, motion passed. Dr. Tillmans will work with Ms. Baca-Chavez to update Rule 0880-02-.14(9). Dr. Loyd will work with Ms. Baca-Chavez to update Rule 0880-02-.14(6). Motion by Mr. Bittel to accept the rule changes as presented, apart from the 2 sections specified. Second by Dr. Christiansen, motion passed.

The Board recessed at 3:05 pm CT.



**Tennessee Board of Medical Examiners
Regular Board Meeting**

Day Two of the Regular Meeting of the Tennessee Board of Medical Examiners

Wednesday, November 13, 2024

The regular board meeting of the Tennessee Board of Medical Examiners was called to order at 8:49 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Stephen Loyd.

Board members present: Stephen Loyd, MD, President
Samantha McLerran, MD, Vice President
Michael Bittel, Consumer Member, Secretary
John Hale, MD
Deborah Christiansen, MD
Keith Anderson, MD
Todd Tillmanns, MD
James Diaz-Barriga, Consumer Member
Ricky Shelton, Consumer Member

Staff present: Francine Baca-Chavez, JD, Office of General Counsel
Michael Varnell, JD, Office of General Counsel
Kavita Vankineni, MD, Medical Consultant
Stacy Tarr, BME Executive Director
Brandi Allocco, Administrative Director
Samantha Green, Board Administrator
Rachel LaMascus, Board Administrator

Board members absent: Randall Pearson, MD

UPDATES FROM TASKFORCE, COMMITTEES AND MEETINGS

Office Based Surgery

- a. Approval of March 2024 meeting minutes. Motion by Mr. Bittel to approve the minutes, seconded by Dr. McLerran. Motion passed.
- b. Office Based Surgery Rules 0880-02-.21. Dr. Hale provided the Board with an overview and update from the Office Based Surgery Committee meeting from November 13th at 7:30 am. Motion from Committee head, Dr. Hale, summary of the rules changed approved by the Committee. No second required. Motion passed.

ORDERS OF COMPLIANCE (CONTINUED)

Frank Ling, MD – did not appear before the Board, as his order did not require an in-person appearance. His legal representative Mr. David Steed was present. Ms. Francine Baca-Chavez presented reviewed the Consent Order that Dr. Ling agreed to and ratified by the Board. The petition requests the Board lift the probation on Dr. Ling’s medical license Ms. Baca-Chavez presented the Order of Compliance and a CSMD report to the Board. Ms. Baca-Chavez gave the Board a written explanation of events, provided by Dr. Ling’s counsel Mr. Steed. Dr. Tillmans recused himself. Mr. Steed addressed the Board, and a robust discussion was had. Dr. Loyd requested to have resident and fellow supervision while on a Consent Order added to the Development Committee. Motion by Dr. Anderson that we table this Order of Compliance for the purpose of looking at the Epic audit trail for the prescriptions on CSMD report, for a period of up to 6 months. Seconded by Mr. Diaz-Barriga, motion passed.

FINANCIAL UPDATE

Ms. Emily Godwin, Fiscal director, presented the fiscal report for 2024. The Board asked numerous questions regarding the information presented. This was an informational presentation, there were no items to vote on.

Motion by Mr. Bittel to adjourn meeting, seconded by Dr. McLerran. Motion passed.

This concludes the regular Board business. The Board will break into two panels for the remaining Day 2 business.

Contested Case – Poplar Room

Nicholas Dantzker, MD* v. State of Tennessee Board of Medical Examiners

Poplar Room

Administrative Law Judge: Elizabeth Cambron

Panelists: Deborah Christiansen, MD, Steven Loyd, MD, and Ricky Shelton, Consumer Member

Counsel for State: Paetria Morgan, Associate General Counsel

Counsel for Respondent: Kimberly Silvus, Esq

The Respondent appeared before a panel of the Board along with his legal representative, Ms. Kimberly Silvus, Esq. A panel of the Board, chaired by Dr. Christiansen, heard from both parties. After discussion and questions, the panel motioned and seconded, which was followed by an approval of the Final Order with all findings of fact and conclusions of law considered and agreed upon.

Contested Case – Iris Room

**Naomi Paschall, MD v. State of Tennessee Board of Medical Examiners
Iris Room**

Administrative Law Judge: Richard Murrell

Panelists: Keith Anderson, MD, Todd Tillmanns, MD, and James Diaz-Barriga, Consumer Member

Counsel for State: Justin Harleman, Senior Associate General Counsel

Counsel for Respondent: Samuel Helmbrecht, Esq.

The Respondent appeared before a panel of the Board along with her legal representative, Mr. Samuel Helmbrecht, Esq. A panel of the Board, chaired by Dr. Tillmanns, heard from both parties. After discussion and questions, the matter was continued and will be taken up at a future date.

Declaratory Order – Dogwood Room

**Pedro Ortiz, MD v. State of Tennessee Board of Medical Examiners
Dogwood Room**

Administrative Law Judge: Rachel Waterhouse

Panelists: Samantha McLerran, MD, John Hale, MD, and Michael Bittel, Consumer Member

Counsel for State: Francine Baca-Chavez, Deputy General Counsel

Counsel for Petitioner: Petitioner was not represented

A panel of the Board, chaired by Samantha McLerran, MD, heard the position of the Petitioner and the State and reviewed any evidence presented. After discussion and consideration, the panel motioned and seconded, which was followed by an approval of the following Final Order with all findings of fact and conclusions of law considered and agreed upon.

Petitioner, Pedro Ortiz, MD, attended Universidad Peruana Cayetano Heredia in Lima, Peru and graduated with a medical degree in March of 2000. Petitioner is an international medical school graduate who has not submitted evidence of the satisfactory completion of a three-year US ACGME accredited post graduate training program, and he is not currently certified by an American Board of Medical specialties, member board. Petitioner is ECFMG certified. After medical school, Petitioner completed a non-ACGME accredited internal medicine residency at the Universidad Peruana Cayetano Heredia in Lima, Peru from July 1, 2002, through June 30, 2005. Petitioner earned his medical education diploma from the Universidad Peruana Cayetano Heredia in Lima, Peru in May 2015. Petitioner served as an internal medicine attending physician with the Internal Medicine Department at Clinica Internacional in Lima, Peru from July 2005 through March 2022. Petitioner served as an internal medicine attending physician with the Emergency Department at the Hospital Nacional Arzobispo Loayza in Lima, Peru from July 2006 until March 2022. Petitioner serves as an assistant professor at the Universidad Peruana Cayetano Heredia in Lima, Peru from December 2010 through October 2015. Petitioner was promoted to associate professor and remained in that position until June 2024. Petitioner completed a non-ACGME accredited clinical fellowship in autonomic disorders at Vanderbilt University Medical Center in Nashville, Tennessee from August 21, 2023, through August 20, 2024. Currently, Petitioner is a research instructor in medicine within the Division of Clinical Pharmacology at Vanderbilt University Medical Center. No medical license is needed for this position; however, if granted a Tennessee medical license Petitioner would be able to treat patients. Petitioner has authored over twenty-four (24) peer reviewed publications and seven (7) book chapters in English and Spanish. Petitioner does not hold any state licenses. There is a need for a physician with Petitioner's qualifications in Tennessee. The petition for Declaratory Order, for this Petitioner, and the relief requested therein was approved.

Summary Suspension – Dogwood Room

Kevin Merigian, MD* v. State of Tennessee Board of Medical Examiners Dogwood Room

Administrative Law Judge: Rachel Waterhouse

**Panelists: Samantha McLerran, MD, John Hale, MD, and Michael Bittel, Consumer Member
Counsel for State: Jessica Turner, Senior Associate General Counsel**

Counsel for Respondent: Michael McLaren, Esq.

The Respondent appeared before a panel of the Board along with his legal representative, Mr. Michael McLaren, Esq. A panel of the Board, chaired by Samantha McLerran, MD, heard from both parties. After discussion and questions, the panel motioned and seconded, which was followed by an approval of the Summary Suspension with all findings of fact and conclusions of law considered and agreed upon.

Roger Starner Jones Jr, MD* v. State of Tennessee Board of Medical Examiners Dogwood Room

Administrative Law Judge: Rachel Waterhouse

**Panelists: Samantha McLerran, MD, John Hale, MD, and Michael Bittel, Consumer Member
Counsel for State: W. Michael Varnell, Associate General Counsel**

Counsel for Respondent: Kline Preston, Esq.

The Respondent appeared before a panel of the Board along with his legal representative, Mr. Kline Preston, Esq. A panel of the Board, chaired by Samantha McLerran, MD, heard from both parties. After discussion and questions, the panel motioned and seconded, which was followed by an approval of the Order to place license on probation with all findings of fact and conclusions of law considered and agreed upon.

This concludes the Board of Medical Examiners Day 2 meeting.