



Tennessee Board of Medical Examiners Regular Board Meeting

Tuesday, May 28, 2024

MINUTES

The regular board meeting of the Tennessee Board of Medical Examiners was called to order at 9:04 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Melanie Blake, Board President.

Board members present: Melanie Blake, MD, President
Stephen Loyd, MD, Vice President
Samantha McLerran, MD, Secretary
Deborah Christiansen, MD
Keith Anderson, MD
Todd Tillmanns, MD
Randall Pearson, MD
John McGraw, MD
Michael Bittel, Consumer Member

Board member(s) absent: James Diaz-Barriga, Consumer Member
Jennifer Claxton, Consumer Member
John Hale, MD

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

I. CONSIDERATION OF APPLICATIONS

Medical Doctor Applicant Interview(s):

Kelly White, MD – appeared before the Board without legal representation. Dr. White has previously appeared before the Board at the September 2023 Board of Medical Examiners' meeting. At that meeting the Board voted to table the application for up to six (6) months to allow Dr. White to secure a preceptor. Dr. White is an applicant for initial licensure with prior board action, no malpractice history, and no

criminal history. Dr. White has been out of clinical practice since October 2004. Dr. White has been unable to locate a preceptor at this time and appears before the Board to request an extension of that tabling. Dr. Deborah Christiansen motions to extend the tabling of Dr. White's application for a duration of six (6) months to allow Dr. White to secure a preceptor. Dr. John McGraw seconds the motion, and it passes.

Allen Walker, MD – appeared before the Board without legal representation. Dr. Walker has previously appeared before the Board at the May 2023, July 2023, and November 2023 Board of Medical Examiners' meetings. Dr. Walker is an applicant for initial licensure. Dr. Walker has previously held a TN Medical License, which he voluntarily surrendered (same as revocation). Dr. Walker has been out of clinical practice since 2012. During the previous appearances, the Board requested Dr. Walker meet with the Tennessee Medical Foundation (hereinafter "TMF"). Dr. Michael Baron, Medical Director for TMF, reported to the Board that Dr. Walker had completed a comprehensive evaluation which found Dr. Walker fit for duty. At the November 2023 meeting, Dr. Walker's re-entry plan was approved contingent on Dr. Walker signing a TMF lifetime monitoring contract. Dr. Walker has completed the re-entry plan and signed a lifetime monitoring contract at this time and has reappeared before the Board for consideration of a full medical license to practice in Tennessee. Dr. McGraw motions grant Dr. Walker a full and unrestricted license. Mr. Michael Bittel seconds the motion. After a lengthy discussion the motion passes. Dr. Walker will be required to complete the requirements for upgrading his license from a limited license to a full license prior to issuance.

Bobby Douglas, MD – appeared before the Board without legal representation. Dr. Douglas is an applicant for licensure reinstatement with no criminal history, no malpractice history, and no prior board action. Dr. Douglas has been out of clinical practice since July 2021. Dr. Christiansen motions to table the application for up to six (6) months to allow Dr. Douglas to secure a preceptor and draft a preceptorship plan. Dr. Douglas shall submit the preceptor's CV and the preceptorship plan for approval by the Board's medical consultant and Dr. Todd Tillmanns, board member. Upon approval of the preceptor and plan, Dr. Douglas will be issued a limited license for up to one (1) year to allow him to complete the requirements of the preceptorship plan. Dr. Samantha McLerran seconds the motion, and it passes.

Konrad Hoetzenecker, MD – did not appear before the Board. His legal representative, Ms. Michele Marsicano, appeared on his behalf. Dr. Melanie Blake allowed for Dr. Hoetzenecker's legal representative to appear on his behalf as the applicant will still have to be available for the declaratory hearing process. Dr. Hoetzenecker is an International Medical School graduate who has not completed any US ACGME accredited residency, has not taken any steps of the USMLE, and is currently not ABMS board certified. Dr. Hoetzenecker's attorney has submitted a petition for declaratory order on his behalf. Dr. McLerran motions to accept the petition for declaratory order and to table Dr. Hoetzenecker's application for a duration of six (6) months to allow Dr. Hoetzenecker to participate in the declaratory hearing process. Dr. Stephen Loyd seconds the motion and the motion passes.

Amanpreet Kalsi, MD – appeared before the Board and his legal representative, Ms. Michele Marsicano, appeared on his behalf. Dr. Kalsi is an applicant for initial licensure with no malpractice history, no criminal history, and no prior board action. Dr. Kalsi is an International Medical School graduate who has passed all steps of the USMLE, has not completed any US ACGME accredited residency, and is not currently ABMS board certified. Dr. Kalsi has submitted a petition for declaratory order for the Board's consideration. Dr. Christiansen motions to accept the petition for declaratory order and to table Dr. Kalsi's application for a duration of six (6) months to allow Dr. Kalsi to participate in the declaratory hearing process. Dr. Loyd seconds the motion and the motion passes.

Aaradhana Jha, MD – appeared before the Board without legal representation. Dr. Jha is an applicant for initial licensure with malpractice history, no criminal history, and no prior board action. Dr. Jha is an

International Medical School graduate who has passed all steps of the USMLE, has not completed a three (3) year US ACGME accredited residency, and is not currently ABMS board certified. Dr. Jha has submitted a petition for declaratory order for the Board's consideration. Dr. Christiansen motions to accept the petition for declaratory order and to table Dr. Jha's application for a duration of six (6) months to allow Dr. Jha to participate in the declaratory hearing process. Mr. Bittel seconds the motion and the motion passes.

Taha Ahmed, MD – appeared before the Board without legal representation. Dr. Ahmed is an applicant for initial licensure with no criminal history, no malpractice history, and no prior board action. Dr. Ahmed is an International medical school graduate who will have completed the required postgraduate training in July 2024, however he attended an unapproved medical school and is not currently board certified. Dr. Ahmed will sit for his final board certification exam in August 2024. Dr. Christiansen motions to grant a temporary license for a period of up to two (2) years to allow Dr. Ahmed to sit for his certification exam, after which Dr. Ahmed will be eligible to apply for full licensure. Dr. Loyd seconds the motion and the motion passes.

Craig Thayer, MD – appeared before the Board without legal representation. Dr. Thayer is an applicant for initial licensure with prior board action. Dr. Thayer received a reprimand from the CA medical board in 2023. Dr. Thayer discussed his disciplinary history and his reason for applying to Tennessee. Dr. Christiansen motions to grant a full and unrestricted medical license. Dr. McGraw seconds the motion and the motion passes. The Board wishes to see all cases of a similar nature to determine on a case-by-case basis whether they will respond with reciprocal discipline prior to issuance of the license.

Robert Martin, MD – appeared before the Board without legal representation. Dr. Martin is an applicant for initial licensure with criminal history and prior board action. Dr. Martin has prior Arkansas board action which included a request for a competency/fitness for duty evaluation, which was not obtained prior to Arkansas withdrawing their suspension of licensure. Dr. Christiansen motions to grant a full and unrestricted medical license. Dr. Loyd seconds the motion and the motion passes.

The Board took a brief break.

Madhan Mohan, MD – appeared before the Board without legal representation. Dr. Mohan is an applicant for licensure reinstatement with prior board action. Dr. Mohan received prior Board action in 2020 by the Kentucky Medical Board due to improper prescribing. In November 2023, an order of compliance was approved for Dr. Mohan and his Kentucky license has been unencumbered since that time. Mr. Bittel motions to reinstate Dr. Mohan's medical license to full and unrestricted. Dr. McLerran seconds the motion and the motion passes.

Dr. Tillmanns requests to revisit the discussion for Dr. Robert Martin's licensure application. Dr. Loyd seconds the request. Dr. Tillmanns feels an evaluation should be conducted by the Tennessee Medical Foundation (hereinafter "TMF") prior to proceeding with licensure. Many Board members are in agreeance that a TMF referral would be appropriate. Dr. Tillmanns motions to table the previous motion to reconsider Dr. Robert Martin's application for licensure. Dr. Loyd seconds the motion, and it passes. Administrative staff will contact the applicant to reappear before the Board so they may reconsider the decision of licensure.

A local news camera crew set up in the Board meeting room to record.

Ekong Uffort, MD – appeared before the Board without legal representation. Dr. Uffort is an applicant for initial licensure with prior DEA action. Dr. Uffort signed a two-year memorandum of agreement with the Texas DEA in October 2023, which restricted his DEA in lieu of further DEA action. Dr. Randall

Pearson motions to grant a full and unrestricted medical license. Mr. Bittel seconds the motion. After a robust discussion, the motion is amended to granting a full and unrestricted medical license contingent upon completion of the two (2) CME hour course Prescribing Controlled Substances in Tennessee offered by the Tennessee Medical Association. The motion passes.

Courtney Barrows, MD – appeared before the Board without legal representation. Dr. Barrows is an applicant for initial licensure with prior board action. Dr. Barrows is currently being monitored by the New Hampshire Professionals Health Program and in moving to Tennessee will transfer monitoring to the TMF. Dr. Michael Baron, Medical Director for the Tennessee Medical Foundation, spoke on behalf of Dr. Barrows. Dr. Christiansen motions to grant a full and unrestricted medical license. Dr. McGraw seconds the motion and the motion passes.

Ali Farooqui, MD – appeared before the Board without legal representation. Dr. Barrows is an applicant for initial licensure with criminal history and prior board action. The Kentucky Board of Medicine took disciplinary action against Dr. Farooqui's license in 2018 following a conviction. The restrictions on Dr. Farooqui's Kentucky medical license were lifted in 2023. Dr. Baron spoke on behalf of Dr. Farooqui. Dr. Christiansen motions to grant a full and unrestricted medical license. Dr. Loyd seconds the motion and the motion passes.

John Huff, MD – appeared before the Board without legal representation. Dr. Huff is an applicant for licensure reinstatement with no criminal history, no malpractice history, and no prior board action. Dr. Huff has been out of clinical practice since February 2021. Dr. McLerran motions to table the application for up to six (6) months to allow Dr. Huff to secure a preceptor and draft a preceptorship plan. Dr. Huff shall submit the preceptor's CV and the preceptorship plan for approval by the Board's medical consultant and Dr. Pearson, board member. Upon approval of the preceptor and plan, Dr. Huff will be issued a limited license for up to one (1) year to allow him to complete the requirements of the three (3) month preceptorship plan. Dr. Christiansen seconds the motion, and it passes.

II. CONDUCT NEW BUSINESS

- a. Discuss and take action as needed regarding proposed rule amendments based on 2021 Public Chapter 328: Rule 0880-02-.01 – Rule 0880-02-.07 – Ms. Francine Baca-Chavez presented the proposed changes to the first section of the Rules. Ms. Baca-Chavez will bring sections of the Rules for proposed changes to each Board meeting in accordance with Public Chapter 328, which requires each Board to review its Rules and amend them accordingly. A robust discussion was held regarding the Rule changes and suggestions for clarifying Rules. Dr. Christiansen motions to accept the changes to the Rules as proposed by Ms. Baca-Chavez with the amendments made by the Board. Dr. McGraw seconds the motion and the motion passes.

The Board recessed for lunch.

III. CONSIDERATION OF APPLICATIONS (CONTINUED)

Medical Doctor Applicant Interview(s):

Robert Martin, MD – reappeared before the Board for further consideration of his medical licensure application. Dr. Baron spoke about the options TMF can offer in terms of evaluations for Dr. Martin. Dr. Keith Anderson motions to amend the previous motion to table the application for a period of up to six (6) months to allow Dr. Martin to complete a comprehensive psychological evaluation. Dr. McLerran seconds the motion, and the motion passes.

IV. CONDUCT NEW BUSINESS (CONTINUED)

- a. Discuss and take action as needed regarding Acupuncture proposed rule change – Mr. Michael Varnell presented the proposed rule changes for the Acupuncture Committee. Dr. McGraw motions to approve the proposed Rule changes. Dr. McLerran seconds the motion and the motion passes.
- b. Discuss and take action as needed regarding FSMB update – Dr. Blake gave a brief update regarding the FSMB conference. The conference was held in Nashville and had the highest attendance of any FSMB conference to date. There were lectures regarding Artificial Intelligence with scenarios where each state medical board had a chance to describe how their specific board would handle the scenario. The Board members who attended the conference noted the importance of attendance of administrative staff and state officials in support of Tennessee during this years conference.
- c. Discuss and take action as needed regarding Public Chapter 211, Public Chapter 921, and Public Chapter 929 – Ms. Baca-Chavez briefly went over each of the public chapters, which will be signed into law this legislative season. The Board had strong opinions regarding Public Chapter 211 when first introduced. Dr. Blake has spoken with lobbyist and law makers in regard to this piece of legislation which is set to take effect on July 1, 2024. Senator Roberts as well as other supporting law makers were receptive to suggestions regarding changes to the public chapter for the betterment of the public safety and welfare of the citizens of Tennessee. Public Chapter 921 and Public Chapter 929 made changes to Public Chapter 211. Public Chapter 921, section 2 went into effect prior to Public Chapter 211 becoming law. Public Chapter 929 takes effect for promulgating rules presently and will take effect for all other purposes on January 1, 2025. Both public chapters 921 and 929 amend public chapter 211. Public Chapter 929 also creates a new category for licensure. This item will remain on the agenda for the next regularly scheduled Board of Medical Examiners meeting.
- d. Discuss and take action as needed regarding Public Chapter 470 – Ms. Baca-Chavez briefly went over this public chapter. Ms. Baca-Chavez worked with Dr. Christiansen and Dr. Shant Garabedian from the Board of Osteopathic Examination to promulgate rules for this public chapter. The proposed rules were presented to the Board of Osteopathic Examination at their last meeting and are being presented to the Board of Medical Examiners today. Dr. Christiansen discussed the proposed rules. After a robust discussion, Dr. Anderson motions to approve the proposed rules. Dr. Loyd seconds the motion and the motion passes.
- e. Discuss and take action as needed regarding July 30-31, 2024 Meeting – Ms. Stacy Tarr discussed the change of venue for the July 30-31, 2024 Board of Medical Examiners meeting. Due to the change of location, the Board will have to utilize their own laptops and tablets to access Board material as the iPads cannot be transported to the new location.
- f. Discuss and take action as needed regarding Recognition as WellBeing First Champions/sending email blast to licensees – Ms. Tarr presented the recognition from the Lorna Breen Foundation as well as a draft email blast from the Lorna Breen Foundation highlighting the recognition. Ms. Tarr explained the delays in updating the online system with these questions. Dr. McLerran motions to approve sending the blast email to licensees. Dr. Loyd seconds the motion and the motion passes.
- g. Discuss and take action as needed regarding notice of TDH Policy 24-11_Policy on Public Comment at Public Meetings – 2024.03.15 – Prior to discussing the policy update regarding public comment at public meetings, Ms. Baca-Chavez briefly discussed public chapter 924, which would allow the discussion of mental health or substance abuse

indications in an application to be discussed in an executive session. This public chapter will be further discussed at the July 2024 Board of Medical Examiners meeting. In regard to TDH Policy 24-11, there will be a scheduled period during the Board meeting to allow the public to comment on agenda items, aside from applicant interviews. The public must provide notice 10 days before the scheduled meeting that they wish to provide public comment and must include in their notice which item on the agenda they wish to comment on.

- h. Discuss and take action as needed regarding sending an attorney to Clear 2024 Annual Educational Conference in Baltimore, MD –Dr. Chrisitansen motions to send two (2) attorneys to the conference. Dr. McLerran seconds the motion, and the motion passes.
- i. Discuss and take action as needed regarding sending attorney to FARB 2024 Regulatory Law Seminar & Innovation Conference in Atlanta, GA – Dr. Chrisitansen motions to send two (2) attorneys to the conference. Dr. McLerran seconds the motion, and the motion passes.

V. **ORDERS OF COMPLIANCE**

Nidal Rahal, MD – appeared before the Board with his legal representative, Mr. John Alexander. Ms. Francine Baca-Chavez presented the Order of Compliance. The petition requests the Board lift the probation on Dr. Rahal’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. Christiansen motions to accept the order of compliance. Dr. Pearson seconds the motion, and it passes.

VI. **CONSIDER AND APPROVE CONSENT AGENDA**

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

- 1. Approval of March 5-6, 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, Polysomnography
- 3. Approval of Agreed Citations
 - a. [Stephen McNeely, RPSGT*](#)
 - b. [Misty Hernandez, RPSGT*](#)
- 4. Review of the Office of General Counsel Report
- 5. Review report from the Administrative Office
- 6. Review report from the Office of Investigations

VII. **UPDATES FROM TASKFORCES & COMMITTEE MEETINGS**

- a. **Office-Based Surgery Taskforce Meeting Update –**
 - i. The taskforce did not have any updates at this time.
 - ii. The taskforce was slated to meet again during the July 2024 Board of Medical Examiners meeting, however due to the venue changes Ms. Baca-Chavez requests the meeting be moved to the morning of the August 14, 2024, Board of Osteopathic Examination meeting. Dr. McGraw and Dr. Anderson cannot attend the August 14, 2024, meeting.
- b. **Development Committee Meeting Update (Dr. Loyd, Dr. Blake, and Dr. McLerran, and Dr. McGraw)–**
 - i. The committee met this morning, May 28, 2024.

- ii. Discuss and take action as needed regarding pain management clinic inspections and BME disciplinary action – This is a continued development committee agenda item. The Tennessee Medical Association (“TMA”) and the Tennessee Pain Society (“TPS”) have proposed recommendations on this matter and the TN Department of Health Related Boards’ Office of General Counsel has guided the Board on which proposed recommendations can be taken up by the Board and which would fall under the Department of Health. The Committee is working through the list of eighteen recommendations at each meeting and this will be carried to the next committee meeting for discussion.
- iii. Discuss and take action as needed regarding NPP Collaboration Requirements – NPP stands for non-physician provider. Ms. Baca-Chavez is tasked with coming up with definitions for the term “site” as site visits are required for collaboration, however the introduction of telehealth has redefined what site may mean. A taskforce will be created with the Board of Physician Assistants and the Board of Nursing to further outline collaboration requirements.
- iv. Discuss and take action as needed regarding collaboration education for licensees (SVIMC and TMA) – Dr. Loyd requested this topic be placed on the development committee agenda to discuss ways of educating licensees about the requirements for collaboration. The Committee brings as a motion the approval of listing the TMA collaboration checklist resource on the Board’s website. The Committee is also looking into collaboration with SVMIC to create a course educating licensees on collaboration.
- v. Advisory Ruling Request – Nathan Smith, MD requested an advisory ruling to determine if action by the New York State Board of Professional Medical Conduct, based solely on disciplinary action taken in Tennessee, will lead to further disciplinary action by the Board of Medical Examiners in Tennessee. An advisory ruling letter was drafted by the Board’s Advisory Attorney, Ms. Francine Baca-Chavez. The Board declines to respond to Dr. Smith’s request because the question raised is a legal question and thus it is not appropriate for the Board to render an advisory opinion. Dr. McLerran motions to accept the draft of the proposed response to Dr. Smith’s request for advisory ruling. Dr. McGraw seconds the motion, and the motion passes.
- vi. Discuss and take action as needed regarding medical spa rule lapsed certification/not certified – The Committee did not take up this matter at the morning meeting. This matter was presented to the full Board by Dr. Kavita Vankenini. Many of the lapsed certification/not certified medical spas result from lack of education to medical directors on the rules regarding Medical Spas. As a result, the office of general counsel and the board’s administrative staff wish to discuss how the Board would like to proceed with discipline for these medical spas and their medical directors. Dr. Vankenini proposes the issuance of a letter of warning for first time offenses, followed by discipline for repeated offenses. Dr. Anderson motions to issue a letter of warning to a first-time offense for a medical spa director that’s medical spa’s registration has lapsed, or to a medical spa director that has not registered their medical spa, for a duration of equal to or less than one year. Dr. McGraw seconds the motion.

Next Development Committee Agenda

- a. Discuss and take action as needed regarding utilization of private censure
- b. Discuss and take action as needed regarding Up-To-Date reporting CMEs directly to Tennessee.

VIII. **DISCIPLINARY ORDERS**

Consent Order(s)

Francis Lagattuta, MD* – did not appear before the Board nor did his legal representative, Mr. Garrett Asher, Esq., appear on his behalf. Ms. Paetria Morgan represented the State. Dr. McGraw motions to approve the order. Dr. McLerran seconds, and the motion passes.

Ramon Aquino, MD* – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Candace Carter represented the State. Dr. McGraw motions to approve the order. Dr. Loyd seconds, and the motion passes.

Final Order(s)

Kevin Plemons, RPSGT* – did not appear before the Board nor did a legal representative appear on his behalf. Mr. Justin Harleman represented the State. Dr. Christiansen motions to approve the order. Dr. McGraw seconds, and the motion passes.

Consent Order(s) (continued)

Kevin Merigian, MD* – did not appear before the Board. His legal representative, Mr. Michael McLaren, Esq., appeared on his behalf. Ms. Brittani Kendrick represented the State. Dr. Tillmanns recused. Dr. McGraw motions to approve the order. Dr. Christiansen seconds, and the motion passes with Dr. Tillmanns recused.

Steven Powell, MD* – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Brittani Kendrick represented the State. Dr. Christiansen motions to approve the order. Dr. McLerran seconds, and the motion passes.

Anand Lalaji, MD* – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Brittani Kendrick represented the State. Dr. Christiansen motions to approve the order. Dr. McLerran seconds, and the motion passes.

Gary Griffieth, MD* – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Brittani Kendrick represented the State. Dr. Christiansen motions to approve the order. Dr. Loyd seconds, and the motion passes.

IX. **PUBLIC COMMENT** – None.

The Board recessed at 4:00 pm CT.



Tennessee Board of Medical Examiners Regular Board Meeting

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

Wednesday, May 29, 2024

The regular board meeting of the Tennessee Board of Medical Examiners was called to order at 8:30 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Stephen Loyd, Board Vice President.

Board members present:

Stephen Loyd, MD, Vice President
Samantha McLerran, MD, Secretary
Keith Anderson, MD
Todd Tillmanns, MD
Randall Pearson, MD
Michael Bittel, Consumer Member
John McGraw, MD

Staff present:

Francine Baca-Chavez, JD, Office of General Counsel
Kavita Vankenini, MD Medical Director
Stacy Tarr, BME Executive Director
Brandi Allocco, Administrative Director
Shelby Carnelli, Board Administrator

X. PRESENTATION OF FINANCIAL REPORT

Ms. Emily Godwin, Fiscal Director for Health Licensure and Regulation, gave a presentation on the Board of Medical Examiner's Mid-Year Fiscal Report. Due to the Board of Radiologic Imaging and Radiation Therapy Board's vote to remove their pending rules, the rules governing the practice of X-Ray operators reverted back to the Board of Medical Examiners. As a result, the deficit for the Board of Radiologic Imaging and Radiation Therapy was offset by the Board of Medical Examiners' cumulative carryover. As of the mid-year fiscal report, the Board of Medical Examiners has a positive net carryover. Mr. Bittel requests there be a graph to show future expenditures similar to the graph showing future revenue going forward.

Dr. McLerran joined midway through the presentation.

XI. DISCIPLINARY ORDERS (CONTINUED)

Agreed Order(s) Continued

[Arthur Cushman, MD*](#) – did not appear before the Board nor did his legal representative, Mr. Thomas A. Wiseman, III, appear on his behalf. Ms. Jessica Turner represented the State. Dr. McGraw motions to approve the order. Dr. McLerran seconds, and the motion passes.

[Pushpendra Jain, MD*](#) – did not appear before the Board nor did his legal representative, Mr. Ron Pursell, Esq., appear on his behalf. Ms. Jessica Turner represented the State. Dr. McLerran recused. Dr. McGraw motions to approve the order. Dr. Pearson seconds, and the motion passes with Dr. McLerran recused.

Consent Order(s) (continued)

[Richard Ellis, MD*](#) – did not appear before the Board nor did a legal representative appear on his behalf. Ms. Jessica Turner represented the State. Dr. Anderson and Dr. Tillmanns recused. Dr. McGraw motions to approve the order. Dr. McLerran seconds, and the motion passes with Dr. Anderson and Dr. Tillmanns recused.

XII. PUBLIC COMMENT – None.

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

Contested Case – Poplar Room

[La Tania Akers-White, MD*](#) v. State of Tennessee Board of Medical Examiners

Poplar Room

Administrative Law Judge: Phillip Hilliard

Panelists: Samantha McLerran, MD, Randall Pearson, MD, and Todd Tillmanns, MD

Counsel for State: Paetria Morgan, Senior Associate General Counsel

Counsel for Respondent: Respondent was not represented

The Respondent did not appear before a panel of the Board nor did a legal representative appear on her behalf. A panel of the Board, chaired by Dr. McLerran, voted to proceed in default. 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.

Declaratory Order Hearing – Iris Room

FNU Umair, MD v. State of Tennessee Board of Medical Examiners

Iris Room

Administrative Law Judge: Shannon Barnhill

Panelists: Keith Anderson, MD, Stephen Loyd, MD, and Michael Bittel, Consumer Member

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

Counsel for Petitioner: Respondent was not represented

A panel of the Board 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, FNU Umair, MD, attended Dow Medical College in Karachi, Pakistan and obtained a medical degree in 2007. 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 is not currently certified by an American Board of Medical Specialties, (“ABMS”) member board. Petitioner was studying for Step 1 of the USMLE and part 1 of the Fellowship of the College of Physicians and Surgeons exam for Pakistan from September of 2007 through April of 2008. Petitioner was an intensive care unit medical officer for the medical and surgical intensive care unit at Indus Hospital in Karachi, Pakistan from April of 2008 through April of 2011. Petitioner was preparing for the clinical skills test of the USMLE and was relocating to the United States from approximately May of 2011 to July of 2011. Petitioner participated in an observer program at MD Anderson Cancer Center in Houston, Texas and performed data entry and analysis from August of 2011 to April of 2012. Petitioner worked as a house physician at Lutheran Medical Center in Brooklyn, New York. Petitioner assisted pediatricians in the nursery and pediatric unit from May of 2012 to May of 2013. Petitioner was preparing for Step 3 of the USMLE and was preparing to move to Boston, Massachusetts to start his clinical fellowship from June of 2013 to August of 2013. Petitioner completed a non-US ACGME accredited perioperative and critical care clinical fellowship sponsored by the cardiac surgery department at Brigham and Women’s Hospital in Boston, Massachusetts from August of 2013 through August of 2017. Petitioner served as the Chief Clinical Fellow at Brigham and Women’s Hospital from August of 2015 until August of 2017. As Chief Clinical Fellow, the Petitioner was involved in the training of new fellows and teaching medical students. Petitioner has verified with the American Board of Internal Medicine that he is eligible to be considered for board eligibility through Special Consideration Pathway A. Petitioner can apply to take the board examination in internal medicine through this pathway in April of 2027. Petitioner has been employed as a hospitalist at Harrington Hospital in Southbridge, Massachusetts from July of 2021 to present. His duties include attending meetings for discharge planning and admitting and discharging patients on both the floor and intensive care unit. In 2023, Petitioner had approximately 650 inpatient encounters and approximately 313 non-inpatient cases at Harrington Hospital. The primary procedures by volume performed by Petitioner included transfusions of nonautologous red blood cells into peripheral vein via percutaneous approach, assistance with respiratory ventilation, and intro of remdesivir anti-infective into peripheral vein via percutaneous approach. As of May 1, 2024, Petitioner is a full-time employee of Armstrong Medical Group providing inpatient medical care at the University of Texas Medical Board under the internal medical department in the capacity of assistant professor. Petitioner has had a full and unrestricted license to practice medicine in Massachusetts and Texas since January of 2017 and November of 2023 respectively. Petitioner has had no disciplinary action taken on his medical licenses. The petition for Declaratory Order, for this Petitioner, and the relief requested therein was approved.

Kais Atmeh, MD v. State of Tennessee Board of Medical Examiners

Iris Room

Administrative Law Judge: Shannon Barnhill

Panelists: Keith Anderson, MD, Stephen Loyd, MD, and Michael Bittel, Consumer Member

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

Counsel for Petitioner: Travis Swearingen and Larry Cheng of Butler Snow LLP

A panel of the Board 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, Kais Atmeh, MD, is an international medical school graduate who has not submitted evidence of the satisfactory completion of a three-year U.S. ACGME accredited residency and is not currently certified by an American Board of Medical Specialties (“ABMS”) member board or eligible for board

certification through the ABMS. Petitioner attended Jordan University of Science and Technology Medical School and obtained a medical degree in 2010. Upon graduating from medical school, Petitioner completed a one-year post-graduation internship at King Abdullah University Hospital in Jordan. Upon completion of this one-year post-graduation internship, Petitioner was granted a full license to practice medicine in Jordan. Subsequently, Petitioner completed a five-year general surgery residency in 2016 at King Abdullah University Hospital in Jordan, which is the largest hospital in northern Jordan and serves as a Level I trauma center and tertiary referral hospital. From August 2016 to August 2017, Petitioner was a Burn Surgery Fellow at the University of Iowa Hospitals and Clinics in Iowa City, Iowa where he assisted and performed in more than 250 cases involving burn excisions and debridement as well as skin grafts. In November 2017, Petitioner returned to Jordan where he was in private practice until March 2018. During this time, Petitioner was an assistant surgeon in a plastic surgery clinic in Amman, Jordan. Petitioner participated in procedures such as wound excisions, burn debridement, breast reductions, and decubitus ulcer flaps. From March 2018 to January 2019, Petitioner was employed by Essra Hospital in Amman Jordan, Initially, Petitioner was employed as a general surgeon. In July 2018, Petitioner was promoted to Chief Doctor for Essra Hospital. During this time, Petitioner performed procedures involving bariatric surgery, trauma surgery, and general surgery. From January 2019 to January 2020, Petitioner was a general surgeon at Al Khalidi Hospital and Medical Center, a Joint Commission International accredited hospital in Amman, Jordan. During this time, Petitioner was the in-house surgeon and treated emergency surgical cases and traumas and performed inpatient surgical procedures. Petitioner became board-certified in general surgery by the Jordan Medical Council in March 2019. From December 2019 to June 2022, Petitioner was a burn surgeon at Al Bashir Hospitals in Amman, Jordan, which featured the largest and busiest burn unit by patient volume in Jordan. Petitioner's clinical experience during this time included performing skin grafts, burn wound excisions, and wound debridement; acute, surgical and ICU management of burn patients; and management of surgical patients during all stages, including pre-operation, intra-operation, and post-operation. During this time, Petitioner also led clinical and teaching rounds for medical students and trained surgical residents and plastic surgery fellows. From January 2021 to June 2022, Petitioner also operated his own private, burn and wound clinic. During this time, Petitioner treated burns, complex wounds, and general surgery cases. From July 2022 to June 2023, Petitioner was a burn surgery fellow at the University of Tennessee Health Science Center in Memphis, Tennessee. During this time, Petitioner treated more than 1,000 cases involving burn wounds at the Firefighters Burn Clinic at Regional One Health in Memphis, Tennessee, which is an American Burn Association-verified burn center. Petitioner is currently an adult comprehensive reconstructive surgery fellow at the University of Tennessee Health Science Center in Memphis, Tennessee, which began in July 2023. Petitioner is expected to complete this fellowship in June 2024. Petitioner has passed all USMLE steps. Petitioner currently holds a full and unrestricted medical license in Jordan. His medical license was first issued in 2016. Petitioner has had no disciplinary action taken against this license. Petitioner also currently holds a full and unrestricted medical license in Ohio. He obtained his medical license in 2024. Petitioner has had no disciplinary action taken against this license. Petitioner has written peer-reviewed articles and given several oral presentations in national and international meetings regarding surgical procedures. There is a significant 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.

This concludes the Board of Medical Examiners Day 2 meeting.