

COMMISSION OF INQUIRY NO. 1 OF 2005
MEDICAL BOARD OF QUEENSLAND

This is the annexure marked "**EMC-11**" mentioned and referred to in the Statement of **ERICA MARY COHN** dated this 17th day of May 2005.

22.10.02

MINUTES, ORDINARY MEETING OF THE MEDICAL BOARD OF QUEENSLAND HELD AT THE OFFICES OF THE BOARD, FLOOR 19, FORESTRY HOUSE, 160 MARY STREET, BRISBANE, ON 22 OCTOBER 2002 COMMENCING AT 5.30PM

ATTENDANCE

Dr L A Toft, Chairperson in the Chair (from 5.45pm),
Professor C B Campbell (Chairperson until 5.45pm),
Mr M Clare
Ms P Frampton
Professor L Geffen
Dr V Kalyanasundaram
Ms R Penny
Dr J Waller
Dr I S Wilkey

Mr J O'Dempsey)
Mr M Demy-Geroe)
Mrs R Scholl) Board staff in attendance
Ms V O'Brien)
Dr K Yuen)

APOLOGIES

Dr M Cohn
Dr M D Mahoney

MINUTES

RESOLVED that the Minutes of the meeting held on 10 October 2002 be confirmed, subject to amendments.

BUSINESS ARISING OUT OF MINUTES

I H PING (921833/1500)

Mr McCowan from Gilshenan and Luton and Mr Logan, Barrister, attended the meeting to discuss the matter.

The Board considered a memorandum dated 7 October 2002 from the Complaints Co-ordinator attaching a memorandum of advice from Mr Logan with respect to the decision of Justice Moynihan regarding the judicial review of the Board's decision in relation to Dr Ping.

The Board noted Mr Logan's advice that it was his opinion the decision reflected a very restrictive interpretation of the legislation, which did not promote the objects of the Act. If the decision were to remain, it would restrict the Board to only conducting disciplinary proceedings by correspondence in those cases where there was no question of creditability eg where the registrant had admitted the allegation.

The Board acknowledged the legislation required urgent amendment to enable the Board, once it had commenced a disciplinary proceeding by correspondence process, to change to a disciplinary committee if further information received

- (i) Dr Young be approved special purpose registration under Section 135 to fill an area of need at Central Queensland Medical Imaging from 2 January 2003 to 1 January 2004, subject to completion of registration requirements;
- (ii) before deciding Dr Young's application for deemed specialist registration under Section 143A, Dr Young be given notice under Section 46(1)(b) to provide further information or a document, namely advice from the College that he has completed a satisfactory interview with the College.

1023671 **ZAFAR, IQBAL ZAFAR – MB BS PUNJAB
1988**

RESOLVED that Dr Zafar be approved special purpose registration under Section 135 to fill an area of need at Interstate Locum Services from 1 March 2003 to 28 February 2004, subject to completion of registration requirements.

1010469 **ZAFAR, SYED ADIL – MB BS
BAHAUDDIN ZAKARIYA 1989**

RESOLVED that Dr Zafar be approved special purpose registration under Section 135 to fill an area of need at Hervey Bay Medical Centre from 18 November 2002 to 17 November 2003.

1023687 **ALAMGIR, MD ABDUR RASHID – MB BS
RAJSHAHI 1978**

RESOLVED that Dr Alamgir be approved special purpose registration under Section 135 to fill an area of need at Rockhampton Health Service District from 28 October 2002 to 27 October 2003, subject to completion of registration requirements.

1001771 **ANDY, HENRY – MD LYCEUM 1999**

The Board noted that Dr Andy has sought special purpose registration under Section 135 to fill an area of need at Bundaberg Base Hospital from 23 October 2002 to 12 January 2003. Dr Andy was previously registered from 3 December 2001 to 24 April 2002 to practice at Fraser Coast Health Service, and he has not been registered to practise medicine since that date.

The Board also noted a Progress report has been received from Mackay Base Hospital in relation to his employment from 15 July 2002 to 13 August 2002

RESOLVED that

- (i) before deciding Dr Andy's application, Dr Andy be given notice under Section 46(1)(b) to give further information or a document required by the Board to decide the application, namely advice from Dr Andy regarding his period of unregistered practise at Mackay Base Hospital;
- (ii) Mackay Base Hospital be requested to provide an explanation regarding Dr Andy's period of employment from 15 July 2002 to 13 August 2002, while apparently unregistered.

**923317 BIRCHALL, DANIEL – MB BCHIR CAMB
1989**

The Board noted Dr Birchall has sought special purpose registration under Section 135 and Section 143A to fill an area of need as a specialist radiologist, incorporating education and research, at the Department of Medical Imaging of the Royal Brisbane Hospital and University of Queensland for a period of 12 months.

RESOLVED that:-

- (i) Dr Birchall be approved special purpose registration under Section 135 to fill an area of need at the Department of Medical Imaging of the Royal Brisbane Hospital and University of Queensland for a period of 12 months, subject to completion of registration requirements;
- (ii) before deciding Dr Birchall's application for deemed specialist registration under Section 143A, Dr Birchall be given notice under Section 46(1)(b) to give further information or a document required by the Board to decide the application, namely a letter of support from the Royal Australian and New Zealand College of Radiologists.

1023688 COULTHARD, ALAN – MB BS NCLE 1982

The Board noted Dr Coulthard has sought special purpose registration under Section 135 and Section 143A to fill an area of need as a specialist radiologist, incorporating education and research, at the Department of Medical Imaging of the Royal

12.11.02

MINUTES, ORDINARY MEETING OF THE MEDICAL BOARD OF QUEENSLAND HELD AT THE OFFICES OF THE BOARD, FLOOR 19, FORESTRY HOUSE, 160 MARY STREET, BRISBANE, ON 12 NOVEMBER 2002 COMMENCING AT 5.30PM

ATTENDANCE

Dr L A Toft, Chairperson in the Chair
Professor C B Campbell
Mr M Clare
Dr M Cohn
Ms P Frampton
Professor L Geffen
Dr V Kalyanasundaram
Dr M D Mahoney
Dr J Waller
Dr I S Wilkey

Mr J O'Dempsey)
Mr Demy-Geroe)
Mrs C Conway)
Ms V O'Brien) Board staff in attendance
Ms J Cunningham)
Dr K Yuen)

APOLOGIES

Ms R Penny

MINUTES

RESOLVED that the Minutes of the meeting held on 22 October 2002 be confirmed, subject to amendments.

HEALTH ASSESSMENT AND MONITORING

H W CAUDLE (972398)

The Board noted correspondence dated 1 October 2002 from Phillips Fox in respect of Mr Caudle's criminal matters. It was noted that the Director of Public Prosecutions has informed the Board's lawyer that a warrant has been issued for Mr Caudle's arrest as he failed to appear at Court for a hearing set down on 29 August 2002. Once a conviction is recorded against Mr Caudle, the Board will be in a position to amend the referral notice and have the matter set down for hearing in the Health Practitioners Tribunal. The Board noted that Phillips Fox will seek Board's instructions as soon as a conviction has been made.

M D MATTHEWS (722773)

Dr Cohn declared a conflict of interest and left the meeting during discussion of the matter.

The Board considered the health assessment summary and various information as outlined in the agenda summary.

EASTERN 1984

RESOLVED that Dr Tamargo be approved special purpose registration under Section 135 to fill an area of need at AMAQ Services Pty Ltd from 1 December 2002 to 30 November 2003, subject to completion of registration requirements.

1023815 TAMARGO, JOHN VIERNES – MD FAR EASTERN 1984

RESOLVED that Dr Tamargo be approved special purpose registration under Section 135 to fill an area of need at AMAQ Services Pty Ltd from 1 December 2002 to 30 November 2003, subject to completion of registration requirements.

1001771 ANDY, HENRY – MD LYCEUM 1999

The Board noted that at its meeting on 22 October 2002, it resolved that before deciding Dr Andy's application for special purpose registration under Section 135 to fill an area of need at Bundaberg Base Hospital from 23 October 2002 to 12 January 2003, Dr Andy be given notice under Section 46(1)(b) to give further information or a document required by the Board to decide the application namely, advice from Dr Andy and Mackay Base Hospital regarding his period of employment from 15 July 2002 to 13 August 2002, while apparently unregistered.

An application has been received however a request for a detailed explanation has been forwarded to the Medical Superintendent of Mackay Base Hospital.

The Registration Advisory Committee considered a performance report dated 15 April 2002 from Fraser Coast Health Service District which indicated that some deficiencies in knowledge and skill were identified in Dr Andy's practice which were considered to be of a nature and degree to preclude continued employment as a Junior House Officer. The Committee noted that Dr Andy had since then completed observerships at Mackay Base Hospital and Bundaberg Base Hospital and reports from both hospitals indicate that Dr Andy's skills and knowledge are suitable to start work as a Junior House Officer.

RESOLVED that Dr Andy be approved special purpose registration under Section 135 to fill an area of need in a supervised setting at Bundaberg Base Hospital from 12 November 2002 to 12 January 2003.

10.12.02

MINUTES, ORDINARY MEETING OF THE MEDICAL BOARD OF QUEENSLAND HELD AT THE OFFICES OF THE BOARD, FLOOR 19, FORESTRY HOUSE, 160 MARY STREET, BRISBANE, ON 10 DECEMBER 2002 COMMENCING AT 5.30PM

ATTENDANCE

Dr L A Toft, Chairperson in the Chair
Mr M Clare
Dr M Cohn
Ms P Frampton
Professor L Geffen
Dr V Kalyanasundaram
Dr M D Mahoney
Ms R Penny
Dr J Waller
Dr I S Wilkey

Mr M Demy-Geroe)
Mrs C Conway) Board staff in attendance
Ms V O'Brien)
Ms M Paterson)

APOLOGIES

Professor CB Campbell

MINUTES

RESOLVED that the Minutes of the meeting held on 26 November 2002 be confirmed, subject to amendments.

HEALTH ASSESSMENT AND MONITORING

M A S GRAHAM (840914)

The Board considered the health assessment summary and various information as outlined in the agenda summary in relation to Dr Graham. It was noted that at its meeting on 10 September 2002 the Board resolved that Dr Graham is impaired and that it should enter into undertakings with Dr Graham.

The Board noted that Dr Graham was under the impression that he had signed his undertakings a year ago and that he had been complying with all of the undertakings including urine drug screening for the past year.

RESOLVED that:-

- (i) the Board accept the Schedule of Undertakings offered to and agreed by Dr Graham, as follows:
1. I will attend for treatment by a psychiatrist of choice with expertise in drug and alcohol disorders, at a frequency to be determined by the treating doctor. I must advise the Board of the name of my treating

Registration Act 2001 in the specialty of Anaesthetics and that the standard condition limiting his practice to that specialty be imposed.

MISCELLANEOUS

1001771 **ANDY, HENRY – MD LYCEUM 1999**

The Board noted that correspondence dated 15 November 2002 from Mackay Base Hospital providing an explanation with respect to Dr Andy practicing unregistered.

RESOLVED that no further action be taken regarding Dr Andy's employment from 15 July 2002 to 13 August 2002.

951755 **HAGIDIMITRIOU, JOHN – MB BS QLD
1995**

The Board noted that Dr Hagidimitriou has sought a refund of his restoration fee and back dating of his registration to 1 October 2002.

RESOLVED that Dr Hagidimitriou be advised that:-

- (i) the Board is unable to backdate his registration pursuant to section 81(a) of the *Medical Practitioners Registration Act 2001*;
 - (ii) the penalty for the restoration stands as his application for renewal of registration was received by the Board after 1 October 2002.
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14.01.03

MINUTES, ORDINARY MEETING OF THE MEDICAL BOARD OF QUEENSLAND HELD AT THE OFFICES OF THE BOARD, FLOOR 19, FORESTRY HOUSE, 160 MARY STREET, BRISBANE, ON 14 JANUARY 2003 COMMENCING AT 5.30PM

ATTENDANCE

Dr L A Toft, Chairperson in the Chair
Professor C B Campbell
Mr M Clare
Dr M Cohn
Ms P Frampton
Professor L Geffen
Dr V Kalyanasundaram
Dr M D Mahoney
Dr J Waller
Dr I S Wilkey

Mr M Demy-Geroe)
Mrs R Scholl)
Ms V O'Brien) Board staff in attendance
Ms J Cunningham)

PERSONNEL (M82)

The Board noted this would be the last meeting of the Board Professor Campbell would attend, due to his retirement from the position of Chief Health Officer. Various members of the Board expressed their appreciation to Professor Campbell thanking him for his active participation in Board meetings, particularly his ability to listen to the opinions of Board members and crystalise those into decisions

APOLOGIES

Ms R Penny

MINUTES

RESOLVED that the Minutes of the meeting held on 10 December 2002 be confirmed, subject to amendments.

BUSINESS ARISING OUT OF MINUTES

Nil

HEALTH ASSESSMENT AND MONITORING

HEALTH ASSESSMENT AND MONITORING COMMITTEE

RESOLVED that the minutes of the Health Assessment and Monitoring Committee meeting of 3 December 2002 be received and the recommendations contained therein endorsed.

T D J ADAMS (951009)

The Board considered the health assessment summary and

1001771 **ANDY, HENRY – MD LYCEUM 1999**

RESOLVED that:-

- (i) the Board agree with the decision of the authorised person, Professor B Campbell, to register Dr Andy as a special purpose registrant;
- (ii) the provisional special purpose registration of Dr Andy under Section 135 to fill an area of need at Bundaberg Base Hospital from 13 January 2003 to 12 July 2003 be confirmed;
- (iii) Dr Andy be approved special purpose registration under Section 135 to fill an area of need at Bundaberg Base Hospital from 13 January 2003 to 18 January 2004.

991570 **BALI, JAIDEEP – MB BS PUNJAB 1989**

RESOLVED that:-

- (i) the Board agree with the decision of the authorised person, Professor B Campbell, to register Dr Bali as a special purpose registrant;
- (ii) the provisional special purpose registration of Dr Bali under Section 135 to fill an area of need at Mater Logan Hospital from 13 January 2003 to 12 July 2003 be confirmed;
- (iii) Dr Bali be approved special purpose registration under Section 135 to fill an area of need at Mater Logan Hospital from 13 January 2003 to 18 January 2004.

1012033 **CUNNINGHAM, KIERAN FRANCIS – MB
BCH NU IREL 1991**

RESOLVED that:-

- (i) the Board agree with the decision of the authorised person, Professor B Campbell, to register Dr Cunningham as a special purpose registrant;
- (ii) the provisional special purpose registration of Dr Cunningham under Section 135 to fill an area of need at Mater Misericordiae Health Services from 13