

DRAFT MINUTES
BOARD OF OSTEOPATHIC MEDICINE
May 16, 2014

Tampa Marriott Westshore
1001 N Westshore Blvd
Tampa, FL 33607
(813) 287-2555

FRIDAY, May 16, 2014

The meeting was called to order by Dr. Rose, Chair, at 9:00 am. Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Joel Rose, DO – Chair
Anna Hayden, DO – Vice Chair
Ronald Burns, DO
Michelle Mendez, DO
Bridget Bellingar, DO
Alicia Janson – Consumer Member
Valerie Jackson – Consumer Member

MEMBERS ABSENT:

None

STAFF PRESENT:

Christy Robinson, Acting Executive Director
Alexandra Alday, Program Operations Administrator
Jessica Hollingsworth, Regulatory Specialist II
Donna McNulty, Esq. – Board Counsel
Yolonda Green, Esq. – DOH Prosecutor
Jodi-Ann Livingstone, Esq., DOH Prosecutor
Sandra Nelson, Compliance Officer

OTHERS PRESENT:

Penny Ziegler, MD, PRN
James Andriole, DO – FOMA

COURT REPORTER:

Dempster Berryhill
(813) 229-8225

Please note that the meeting minutes reflect the actual order that agenda items were discussed during the meeting and may differ from the agenda outline.

PLEDGE OF ALLEGIANCE AND PLEDGE OF OSTEOPATHIC COMMITMENT

PRESENTATION OF AWARDS

Tab 27 - Presentation of Board Chairman's Award to Laura Jordan

Dr. Rose presented Laura Jordan with the Board Chairman's Award. Ms. Jordan is the first osteopathic medical student to receive this award.

No Tab - Presentation of Award to Ronald Burns, Former Chair of the Board

Dr. Rose presented Ronald Burns an award for his service as former Chair of the Board.

APPLICATIONS FOR LICENSURE

Tab 2 – Eugene Adam Calabrese, Jr, DO

Dr. Calabrese was present without counsel. Dr. Calabrese was required to appear before the Board to discuss his application and action taken against his staff privileges.

Action Taken: After discussion, Dr. Burns moved to approve the application for licensure. Dr. Hayden seconded the motion, which passed unanimously.

Tab 3 – Paul Silverstein, DO

Dr. Silverstein was present without counsel. Dr. Silverstein was required to appear before the Board to discuss his application, discipline in another state and failure to complete an AOA approved internship.

Action Taken: Action Taken: After discussion, Dr. Burns moved to approve the application for licensure. Ms. Jackson seconded the motion, which passed unanimously.

Tab 4 – Justin Thomas, DO

Dr. Thomas was present and represented by William Furrow, Esq. Dr. Thomas was required to appear before the Board to discuss his application, criminal history and off-sequence training.

Action Taken: After discussion, Dr. Hayden moved to approve the application with the following conditions:

- Prior to licensure, he must undergo a PRN evaluation and comply with any recommendation as a result of the evaluation; the chair is delegated authority to either approve the license based on the evaluation or require the applicant to appear before the Board for additional review.

Dr. Burns seconded the motion, which passed unanimously.

Tab 28 – Shawn St. Marie, DO

Dr. St. Marie was present without counsel. Dr. St. Marie was required to appear before the Board to discuss his application, criminal history and probation during training.

Action Taken: After discussion, Dr. Hayden moved to approve the application for licensure. Dr. Burns seconded the motion, which passed unanimously.

TRAINING LICENSE APPLICANTS

Tab 5 – Shawn Kirby

Shawn Kirby was present and represented by Allen Grossman, Esq. and Penelope St. Claire. Mr. Kirby was required to appear before the board to discuss his application and criminal history.

Action Taken: After discussion, Dr. Burns moved to approve the application. Dr. Hayden seconded the motion, which passed unanimously.

Tab 6 – Anthony Randich

Pulled from agenda.

Tab 29 – Vivak Patel

Vivak Patel was present without counsel. Mr. Patel was required to appear before the Board to discuss his application and criminal history.

Action Taken: After discussion, DR. Hayden moved to approve the application. The motion was seconded and passed unanimously.

15 Minute Break

DISCIPLINARY CASES

Tab 7 – Edwin P. Kollinger, DO – Settlement Agreement – Case #2010-11363

Allegations of Complaint: 459.015(1)(x)- malpractice; 459.015(1)(t)- inappropriate prescribing; 459.015(1)(o)- medical records violation

The Respondent was present and represented by Mike Dutko, Esq. Ms. Green represented the Department and presented the case to the Board. Dr. Bellingar was recused due to her participation on the probable cause panel.

Action Taken: After much discussion, Dr. Burns moved to reject the settlement agreement as presented. Dr. Mendez seconded the motion, which passed unanimously. Dr. Rose then moved to offer the following counter settlement agreement:

- Reprimand
- \$10,000 fine within 30 days of the final order
- \$10,368.35 in costs within 30 days of the final order
- Completion of the Legal and Ethical Implications in Medicine Physician's Survival Guide- Laws and Rules continuing medical education course offered by the FMA within 1 year of the final order
- Completion of the Prescribing Controlled Drugs: Critical Issues and Common Pitfalls of Prescribing continuing medical education course offered by the University of Florida within 1 year of the final order
- Completion of the Quality Medical Record Keeping for Health Care Professionals continuing medical education course offered by the FMA within 1 year of the final order
- Permanent practice restriction- cannot own, operate or practice in a pain management clinic as defined in 459.0137, F.S.
- Indirect monitor for 5 years to include: 100% chart review for any controlled substance prescription written to ensure it was appropriate for the patient's condition and a justified course of treatment; quarterly reports; appearances with the monitor at the first and last meeting upon commencement of the monitoring period and as required by the board; monitor must be in same or similar specialty;
- Delete paragraph 7(b)

The motion was seconded and passed unanimously.

Both parties agreed to the terms of the counter offer for the record.

PROBATION AND COMPLIANCE REVIEW

Tab 19 – Andrew Guidry, DO – Petition for Reinstatement

Dr. Guidry was present and represented by Allen Grossman, Esq. Dr. Ziegler with PRN was also present.

Action Taken: After discussion, Dr. Rose moved to reinstate the license under the following restrictions and conditions:

- Probation for 5 years to include direct supervision; 25% chart review; quarterly reports; appearance with monitor at the first and last meetings following commencement of probation and other times as deemed necessary; must get a temporary monitor if the approved monitor goes on vacation, etc.
- Prior to the lifting of probation, he must demonstrate that he can practice without supervision including a favorable PRN recommendation and no issues with the quarterly monitoring reports.

Dr. Burns seconded the motion, which passed unanimously.

Tab 10 – Mark Kantzler, DO – Required for Appearance for Continued Payment Extension

Dr. Kantzler was present without counsel. Dr. Kantzler was requesting that the Board continue to his extension to repay fines and costs.

Action Taken: After discussion, Dr. Burns moved to approve the appearance. The motion was seconded and passed unanimously. Dr. Rose then moved to continue the extension and payment plan for one year and \$150.00 per month and require another appearance in a year to review the request. Dr. Burns seconded the motion, which passed unanimously.

DISCIPLINARY CASES (Continued)

Tab 8 – Steven J. Svabek, DO – Settlement Agreement – Case #2012-10153

Allegations of Complaint: 456.072(1)(bb)- wrong site surgery; 459.015(1)(s)- performing unauthorized services

The Respondent was present and represented by David Spicer, Esq. Ms. Green represented the Department and presented the case to the Board.

Action Taken: After discussion, Dr. Burns moved to reject the settlement agreement as presented. Dr. Hayden seconded the motion, which passed unanimously. Dr. Burns then moved to offer the following counter settlement agreement:

- Reprimand
- \$7500.00 fine
- \$2368.17 in costs
- 12 hours of CME in the area of professionalism within 1 year of the Final Order
- 12 hours of CME in the area of medical record keeping within 1 year of the Final Order
- 12 hours of CME in the area of risk management and/or prevention of medical errors within 1 year of the Final Order
- 12 hours of CME in the area of medical ethics within 1 year of the Final Order
- 1 hour lecture on his experience with the wrong site surgery and the appropriate way to correct a medical record. The lecture must be presented to a hospital or ambulatory surgical center where the respondent has staff privileges or a district society meeting. The lecture must be approved by the Chair prior to its presentation. Upon completion, the respondent must submit to the department the number of physicians in attendance within 10 days of the lecture.

Dr. Bellinger seconded the motion, which passed unanimously.

Both parties agreed to the terms of the counter offer for the record.

Tab 9 – Edward Williams, Jr, DO – Motion for Determination of Waiver – Case #2013-11317

Allegations of Complaint: 456.072(1)(q)- violating an order of the board

The Respondent was present without counsel. Ms. Livingstone represented the Department and presented the case to the Board. Dr. Hayden was recused from the case due to her participation on the probable cause panel.

Dr. Burns moved to accept the agenda materials and investigative report as presented into the record as evidence. Dr. Rose seconded the motion, which passed unanimously. Dr. Burns moved to find that the respondent was properly served and waived their right to a formal hearing. Dr. Mendez seconded the motion, which passed unanimously. Dr. Burns then moved to adopt the findings of fact as presented in the administrative complaint. Dr. Mendez seconded the motion, which passed unanimously.

The Board heard testimony from the Respondent. During his testimony, Dr. Williams provided certificates of completion of the cardiac CME courses required in the prior order.

Action Taken: Dr. Bellinger moved to accept the certificates presented as fulfillment of the cardiac CME requirement in the prior order. Dr. Mendez seconded the motion, which passed unanimously.

Dr. Burns moved to adopt the conclusions of law as presented in the administrative complaint and find that this constitutes a violation of the practice act. Dr. Burns seconded the motion, which passed unanimously.

Action Taken: Dr. Burns moved to impose the following penalty:

- Suspension until he complies with the terms of the Final Order in case #2010-13765.

Dr. Mendez seconded the motion, which passed unanimously.

Additional Action Taken: Dr. Burns moved to assess costs in the amount of \$65.88 to be paid within one year of the Final Order. Dr. Mendez seconded the motion, which passed unanimously.

Tab 10 – Edward Williams, Jr, DO – Motion for Determination of Waiver – Case# 2013-02848

Allegations of Complaint: 456.072(1)(hh)- being terminated from an impaired practitioner program; 456.072(1)(k)- failing to perform a statutory or legal obligation; 459.015(1)(w)- impairment

The Respondent was present without counsel. Ms. Livingstone represented the Department and presented the case to the Board. Dr. Hayden was recused from the case due to her participation on the probable cause panel.

Dr. Burns moved to accept the agenda materials and investigative report as presented into the record as evidence. Dr. Mendez seconded the motion, which passed unanimously. Dr. Burns moved to find that the respondent was properly served and waived their right to a formal hearing. Dr. Mendez seconded the motion, which passed unanimously. Dr. Burns then moved to adopt the findings of fact as presented in the administrative complaint. Dr. Mendez seconded the motion, which passed unanimously.

The Board heard testimony from the Respondent.

Dr. Burns moved to adopt the conclusions of law as presented in the administrative complaint and find that this constitutes a violation of the practice act. Dr. Mendez seconded the motion, which passed unanimously.

Action Taken: Dr. Burns moved to impose the following penalty:

- Reprimand
- \$5000.00 fine
- Suspension until he demonstrates he can practice with skill and safety including an evaluation and recommendation from PRN; the Board reserves the right to impose additional terms at the time of reinstatement

Dr. Mendez seconded the motion, which passed unanimously.

Additional Action Taken: After additional discussion, Dr. Burns moved to reduce the fine to \$2500.00 due within 1 year of the Final Order. Dr. Mendez seconded the motion, which passed unanimously. Dr. Burns then moved to assess costs in the amount of \$2274.82 due within 1 year of the Final Order. Dr. Mendez seconded the motion, which passed unanimously.

Tab 11 – Edward Williams, Jr, DO – Determination of Waiver – Case #2013-11330

Allegations of Complaint: 456.072(1)(q)- violating an order of the board

The Respondent was present without counsel. Ms. Livingstone represented the Department and presented the case to the Board. Dr. Hayden was recused from the case due to her participation on the probable cause panel.

Dr. Burns moved to accept the agenda materials and investigative report as presented into the record as evidence. Dr. Mendez seconded the motion, which passed unanimously. Dr. Burns moved to find that the respondent was properly served and waived their right to a formal hearing. Dr. Mendez seconded the

motion, which passed unanimously. Dr. Burns then moved to adopt the findings of fact as presented in the administrative complaint. Dr. Mendez seconded the motion, which passed unanimously.

The Board heard testimony from the Respondent.

Dr. Burns moved to adopt the conclusions of law as presented in the administrative complaint and find that this constitutes a violation of the practice act. Dr. Mendez seconded the motion, which passed unanimously.

Action Taken: After discussion, Dr. Burns moved to impose the following penalty:

- Reprimand
- \$2500.00 fine to be paid within 1 year of the Final Order
- Quality assurance review within 6 months of reinstatement of licensure

Dr. Mendez seconded the motion, which passed unanimously.

Additional Action Taken: Dr. Burns moved to assess costs in the amount of \$71.37 to be paid within 1 year of the Final Order. Dr. Mendez seconded the motion, which passed unanimously.

Tab 12 – Jeffrey Lipman, DO – Voluntary Relinquishment – Case # 2011-06759

Allegations of Complaint: 456.072(1)(dd)- violating a law or rule of the board; 456.072(1)(gg)- inappropriate prescribing; 459.015(1)(g)- failing to perform a statutory or legal obligation; 459.015(1)(t)- inappropriate prescribing; 459.015(1)(x)- malpractice/standard of care; 459.015(1)(pp)- violating a law or rule of the board; 459.015(1)(qq)- providing deceptive/fraudulent testimony

The Respondent was not present or represented by counsel. Probable cause was waived in this case.

Action Taken: Dr. Burns moved to accept the voluntary relinquishment of licensure. Dr. Mendez seconded the motion, which passed unanimously.

Tab 13 – Stewart B. Foreman, DO – Voluntary Relinquishment – Case # 2010-05220

Allegations of Complaint: 459.015(1)(a)- obtaining a license by fraud or misrepresentation

The Respondent was not present or represented by counsel.

Action Taken: Dr. Burns moved to accept the voluntary relinquishment of licensure. Dr. Hayden seconded the motion, which passed unanimously.

Dr. Hayden served as Chair during Tab 14.

Tab 14 – Scott B. Oster, DO – Voluntary Relinquishment – Case #2011-03189

Allegations of Complaint: 459.015(1)(t)- inappropriate prescribing; 459.015(1)(pp)- violating a law or rule of the board by violating 64B15-14.005, F.A.C.; 456.072(1)(v)- sexual misconduct

The Respondent was not present but was represented by Allen Grossman, Esq. Dr. Rose was recused due to his participation on the probable cause panel. Ms. McNulty voiced concern with the language in the voluntary relinquishment document.

Action Taken: After discussion, Dr. Burns moved to reject the voluntary relinquishment as presented. Dr. Hayden seconded the motion, which passed with Ms. Janson opposed.

PROBATION AND COMPLIANCE REVIEW (Continued)

Tab 16 – Celestino Santi, DO – Appearance For Approval of Monitor

Dr. Santi was present with William Furlow, Esq. His proposed monitor, Ajay Harendra Bisht, MD, and Dr. Zeigler from PRN were also present.

Action Taken: After discussion, Dr. Burns moved to approve the appearance. Dr. Hayden seconded the motion, which passed unanimously. Dr. Hayden then moved to approve the monitor. Dr. Mendez seconded the motion, which passed unanimously.

Break for Lunch (12-45 – 1:55)

PRESENTATIONS

No Tab - Presentation by David Thomas, MD Re: NOVA Southeastern University Courses

Dr. Thomas provided an overview of the courses offered at NOVA.

PROBATION AND COMPLIANCE REVIEW (continued)

Tab 15 – Alex Wargo, DO – Request to Modify Final Order

Dr. Wargo was not present or represented by counsel. Dr. Zeigler from PRN was present. During discussion, the Board voiced concern with the evaluation done by Dr. Abrahams.

Action Taken: After discussion, Dr. Hayden moved to deny the request to modify final order. Dr. Burns seconded the motion, which passed unanimously.

Tab 18 – Ty Anderson, DO – Petition for Reinstatement and Exemption from Disqualification

Dr. Anderson was present and represented by William Furlow, Esq. Dr. Ziegler with PRN was also present. During discussion, Ms. McNulty advised the Board that Section 459.015(4), F.S. required all terms of a Final Order be met prior to reinstatement of a license.

Mr. Furlow requested to orally amend the petition to include modification of all orders from March 2012 to allow for an extension and payment plan for the fines and costs owed in those cases.

Action Taken: Dr. Hayden moved to modify the Final Order as requested. Dr. Bellingar seconded the motion which failed. Dr. Burns then moved to deny the petition for reinstatement based on Section 459.015(4), F.S. Dr. Rose seconded the motion, which passed with Dr. Hayden opposed.

Mr. Furlow withdrew the Petition for Exemption from Disqualification for the record.

Tab 20 – Vincent Scolaro, DO – Petition for Reinstatement

Dr. Scolaro was present and represented by Ken Skinner, Esq. Dr. Ziegler with PRN was also present.

Action Taken: Dr. Hayden motioned to reinstate the license under the following conditions:

- Permanent Practice Restriction - shall not own, operate, or practice osteopathic medicine in a Pain Management Clinic as defined by Section 459.0137, Florida Statutes (2013).
- Practice Restriction - shall not prescribe, administer, dispense, mix or order Schedule II through V controlled substances, as defined by Chapter 893, Florida Statutes; however, after five years of probation (set forth below), he may petition to lift this restriction for Schedules III through V provided he is in compliance with his PRN contract.
- Probation for five (5) years to include direct supervision for 2 years followed by 3 years of indirect supervision; 25% chart review for standard of care and proper medical records; quarterly reports; appearance at first and last meeting following the commencement of probation and annual appearances.

Dr. Burns seconded the motion, which passed unanimously.

APPLICANTS FOR FULL LICENSURE (Continued)

Tab 1 – Katherine Adams, DO

Dr. Adams was not present or represented by counsel.

Action Taken: Dr. Burns moved to table the application and require an appearance at the next meeting of the Board. Dr. Mendez seconded the motion, which passed unanimously.

PROSECUTION SERVICES REPORT

Ms. Green provided an overview of the Board's current caseload.

Action Taken: Dr. Burns moved to direct the Department to continue processing cases over a year old. Dr. Bellingar seconded the motion, which passed unanimously.

REVIEW AND APPROVAL OF MINUTES

Tab 21 – March 7, 2014 Board Meeting Minutes

Action Taken: Dr. Burns moved to approve the minutes as presented. Dr. Bellingar seconded the motion, which passed unanimously.

Tab 30 - May 5, 2014 Emergency Board Meeting Minutes

Action Taken: Dr. Burns moved to approve the minutes with two corrections. Dr. Bellingar seconded the motion, which passed unanimously.

GENERAL BUSINESS AND CORRESPONDENCE

Tab 22 - Review and Approval of 2015 Meeting Dates

It was the consensus of the Board to approve the proposed dates as presented. They requested all meetings be held in Tampa, Orlando or the Ft. Lauderdale area.

Tab 23 - Press Release- Joint Investigation Leads to Unlicensed Activity Arrest in Pembroke Pines

Informational item.

Tab 24 - Tri-Regulator Collaborative Position Statement on Practice Location for Consumer Protection

Informational item.

Tab 25 - 2014 Renewal Report

Informational item.

Tab 31 - Review and Approval of Revised Annual Delegation of Authority

Action Taken: Dr. Burns moved to approve the revised annual delegation of authority as presented. Dr. Hayden seconded the motion, which passed unanimously.

Tab 32 - FSMB Annual Meeting Overview

Informational item.

REVIEW AND APPROVAL OF EXPERT WITNESS APPLICATIONS

Tab 26 – Erik A. Cooper, DO

The Board voiced several concerns with the information in this application and CV. They asked that these items be updated or clarified and brought back to the next meeting.

LEGISLATIVE UPDATE

Tab 33 - Overview of Pertinent Bills

The Board discussed the following bills: HB 323 – Pharmacy; HB 7015 – Military and Veteran Support;

and SB 1030 – Relating to Low-THC-Cannabis. Dr. Zeigler with PRN and Dr. Andriole with FOMA also spoke on SB 1030. The Board asked that PRN come to a future meeting and provide a presentation on this issue and addiction in general.

RATIFICATION OF LICENSURE

Tab 34 - Ratification of Licenses Issued 1/31/2014 – 5/9/2014

Action Taken: Dr. Bellingar moved to approve the list as presented. Dr. Mendez seconded the motion, which passed unanimously.

Tab 35 - Ratification of Training Licenses Issued 1/31/2014 – 5/9/2014

Action Taken: Dr. Bellingar moved to approve the list as presented. Dr. Hayden seconded the motion, which passed unanimously.

BOARD CHAIR REPORT – Joel Rose, DO

Dr. Rose indicated he reviewed 87 applications for licensure to date. He also noted he provided staff with a list of issues that could be cleared in-house rather than by the Chair.

He noted the AOA Bureau of State Government Affairs issued a statement against State licensure Boards specifying CME for licensure renewal.

He recognized Attorney General Pamela Bondi, Esq. and former Representative Mike Fasano (R) for their efforts in securing money to continue funding the prescription drug monitoring program.

He noted that he was working with Ms. McNulty on created a list of standardized disciplinary terms for orders.

BOARD COUNSEL REPORT AND RULES DISCUSSION – Donna McNulty, Esq.

Tab 36 - Rules Report

Informational item.

Action Taken: Dr. Burns moved to delegate authority to the Board Chair to work with counsel and staff on the Annual Regulatory Plan. Dr. Bellingar seconded the motion, which passed unanimously.

Tab 37 – 64B15-12.011 – Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need

Tab 38 – 64B15-10.002 – Application and Licensure Fees

Tabs 37 and 38 were discussed and voted on at the same time.

Action Taken: Dr. Hayden moved to approve the rules and application (with one correction) and proceed with rulemaking. Dr. Bellingar seconded the motion, which passed unanimously.

Action on SERC Questions: Dr. Rose moved to find that the proposed changes would not have an adverse impact on small business. Dr. Burns seconded the motion, which passed unanimously. Dr. Burns moved to find that the proposed changes would not have a direct or indirect impact on regulatory costs. Dr. Bellingar seconded the motion, which passed unanimously. Dr. Burns moved the proposed changes would not directly or indirectly increase regulatory costs to any entity in excess of \$200,000 in the aggregate within one year after implementation, no SERC was needed and legislative ratification was not required. Dr. Mendez seconded the motion, which passed unanimously.

Tab 39 - 64B15-13.001 – Continuing Education for Biennial Renewal

Action Taken: Dr. Burns moved to approve the language as presented and proceed with rulemaking. Dr. Bellingar seconded the motion, which passed unanimously.

Action on SERC Questions: Dr. Burns moved to find that the proposed changes would not have an adverse impact on small business. Dr. Bellingar seconded the motion, which passed unanimously. Dr. Burns moved to find that the proposed changes would not have a direct or indirect impact on regulatory costs. Dr. Mendez seconded the motion, which passed unanimously. Dr. Burns moved the proposed changes would not directly or indirectly increase regulatory costs to any entity in excess of \$200,000 in the aggregate within one year after implementation, no SERC was needed and legislative ratification was not required. Dr. Rose seconded the motion, which passed unanimously.

ACTING EXECUTIVE DIRECTOR REPORT- Christy Robinson

Ms. Robinson advised that the Executive Director position had been advertised and the permanent director would be hired as soon as possible.

Action Taken: A motion was made and seconded to write a letter of unanimous support of Ms. Robinson to obtain the Executive Director position. The motion passed unanimously.

JOINT COMMITTEE MEETING UPDATES

Tab 40 – Office Surgery Joint Committee Meeting Update – April 3, 2014 Meeting

Ms. McNulty provided an overview of the meeting.

COUNCIL ON PHYSICIAN ASSISTANTS REPORT – Ronald Burns, DO

Tab 41 – April 3, 2014 PA Council Meeting Minutes.

Informational item.

ANESTHESIOLOGY ASSISTANTS COMMITTEE REPORT – Ronald Burns, DO

No report.

BUDGET LIAISON REPORT – Vacant

Tab 42 - Expenditures by Function for Period Ending 12/31/2013

Informational item.

PHARMACISTS FORMULARY REPORT - Joel Rose, DO

No report.

UNLICENSED ACTIVITY LIAISON REPORT - Vacant

No report.

OLD BUSINESS

None.

NEW BUSINESS

It was suggested that we add a link on the Board's website to the Department's healthy weight information.

There was discussion about pharmacies in certain areas requiring a physician's NPI number to be on prescriptions.

There being no further business the meeting adjourned at 4:20 pm.