

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the January 3, 2024, Board Meeting
108 Cherry St. Suite 206, Burlington, VT 05402
Remote via Teams

Unapproved

- **Call to Order; Call the Roll; Acknowledge Guests:**

Dr. Rick Hildebrant, Board Chair, called the meeting to order at 12:03 PM

Members Present:

Rob Ciappenelli; David Coddair, MD; Evan Eyler, MD; Gail Falk; Matthew Greenberg, MD; Rick Hildebrant, MD; Suzanne Jones, PA-C; Patricia King, MD; David Liebow, DPM; Stephanie Lorentz; Christine Payne, MD; Dawn Philibert; Judy Scott; Margaret Tandoh, MD; Robert E. Tortolani, MD; Scott Tucker.

Others in Attendance:

David Herlihy, Executive Director; Paula Nenninger, Investigator; Scott Frennier, Investigator; Jane Malago, Operations Administrator; Tracy Hayes, Public Health Specialist; Justin Sheng, AAG; Megan Campbell, AAG; Kurt Kuehl, AAG; Bill Reynolds, AAG; Jessica McNally, MD; Jessa Barnard, Vermont Medical Society; Stephanie Winters, Vermont Medical Society.

- **Approval of the Minutes of the December 6, 2023, and December 20, 2023, Board Meetings:**

D. Philibert moved to accept the minutes of the December 6, 2023, and December 20, 2023, meetings. Dr. Eyler seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

- **Board Issues (Dr. Hildebrant):**

- Dr. Hildebrant noted that Dr. David Liebow's term as a member will be coming to an end, summarized some of his accomplishments, and expressed thanks for the many years of service. D. Herlihy also offered thanks and reminded the Board that

Dr. Liebow is the podiatric licensed member that began with the Board in 2013 and will serve until a replacement is appointed.

- **Administrative Updates (David Herlihy):**

- D. Herlihy provided an update to the Board that the Board office is scheduled to move on Feb 24, 2024, to the Waterbury State Office Complex.
- D. Herlihy reminded the Board that the staff are continuing to work on the process for accepting proposals for the project to update the Board's IT system.
- D. Herlihy shared that the recently approved position for an Administrative Services Technician had been posted for recruitment but that the response was disappointing. The position is being reposted. The goal is to hire someone soon and the plan is for the position to be in the new Waterbury office full-time.
- D. Herlihy notified the Board that there was a typo on the agenda for this meeting. The correct information is that the Federation of State Medical Boards' (FSMB) annual conference will be from April 18th to April 20th, 2024.
- D. Herlihy reminded the Board of the previously approved process changes for issuance of licenses. Beginning on February 1, 2024, the staff will issue licenses for applications that do not require Licensing Committee review. Licenses that are required to be reviewed by the Licensing Committee will also be issued by Board staff after receiving the License Committee's approval.

- **Presentation of Applications:**

Applications for physician, physician assistant and limited temporary physician licensure were presented and acted upon as detailed in Appendix A, incorporated by reference into these minutes.

Dr. Hildebrant called for a motion for the issuance of physician licenses and physician assistant licenses. (See Appendix A)

S. Lorentz made a motion to accept all applicants for licensure as presented. Seconded by S. Tucker. The motion passed; opposed: none; abstained: none; recused: none.

Dr. Hildebrant called for a motion for the issuance of limited temporary licenses to practice medicine. (See Appendix A)

Dr. Greenberg made a motion to accept all applicants for licensure as presented. Seconded by PA Jones. The motion passed; opposed: none; abstained: none; recused: none.

- **Other Business:**

- **Election of Board Officers for 2024** – D. Herlihy announced that Dr. Hildebrant and Dr. Greenberg had agreed to serve another term as Chair and Vice Chair, but that no one had been nominated as Secretary. Dr. Tortolani then self-nominated for Secretary. Members were asked if there were any further nominations, and there were none. The slate of officers for 2024 was approved by acclamation, with Dr. Hildebrant as Chair, Dr. Greenberg as Vice Chair, and Dr. Tortolani as Secretary.
- **FSMB Annual Meeting** – D. Herlihy reminded the Board of the previous discussion for the FSMB annual meeting. As agreed at the December meeting, Stephanie Lorentz had been submitted as the Board’s applicant for one of the 12 public member scholarships, and FSMB had approved that nomination. FSMB is offering the board three scholarships for the Chair, the Executive Director, and another member. The Board decided that two additional members, Dawn Philibert and Dr. Tortolani would attend, with the Board covering the expenses for one.

Dr. Hildebrant invited members to make a motion. Dr. Eyler moved for the Board to approve paying for the expenses of one member to attend the 2024 FSMB annual meeting. Dr. Tandoh seconded the motion. The motion passed; opposed: none; abstained: none; recused: none.

It was also noted that Dr. King will also be attending in her role with the FSMB Foundation.

- **Monitoring Cases** – D. Herlihy shared that it was previously discussed in Committee meetings to change the order on the agendas. Monitoring cases will now be addressed at the beginning of the meetings instead of the end. Dr.

Hildebrant expressed support for this change. The agendas will reflect this change beginning with the January meetings of the investigative committees.

- **Request for Pre-application Determination on Criminal History** – D. Herlihy gave a brief overview of the new option for individuals to request a preapplication determination of whether a criminal conviction would disqualify them from being approved for a license. Members were told that in recent years the statutes applying to all occupational licensing authorities, including the Board, have been amended to provide for such an option and that the Board's Rules have also been amended to cover these matters. The Rules call for the Licensing Committee to review these applications and make a recommendation to the full Board. The first request of this type was received in November 2023; the Licensing Committee had considered it and AAG Sheng would present their recommendation. D. Herlihy explained that this was not a decision about granting a license and that it is only a predetermination as to whether the Board finds that the individual's criminal history would be disqualifying if an application for licensure were submitted.

J. Sheng presented to the Board the matter of the request from Mark D. Evans, MD, for a preapplication determination. J. Sheng explained that the question for the Board is if the individual's criminal background would disqualify them based on their conviction, pursuant to 26 V.S.A. § 1353. Sheng explained the requirements of the statute and noted that the Board's determination was advisory and would not preclude the individual from submitting an application at a later date, even if the decision is that the conviction would be disqualifying. Sheng shared public details of the conviction and that the Licensing Committee had considered the supporting documents, including letters of support and other evidence of rehabilitation, provided by Mark D. Evans, MD. Sheng advised that the Licensing Committee's recommendation was that the Board should find that Dr. Evans's criminal history would preclude issuance of an LTL license if Dr. Evans submitted an application. Discussion of the recommendation ensued; members posed questions that related to confidential matters.

Dr. Liebow made a motion at 12:59 PM to enter Executive Session to discuss confidential matters related to the preapplication determination. Dr. Greenberg seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

- **Enter Executive Session to discuss matters that are confidential by law, including information concerning an individual's private medical information that is confidential and attorney-client communication.**
- **Return to Open Session 1:16 PM; Request for Preapplication Determination on Criminal History (Continued) –**

Dr. Hildebrant entertained a motion regarding the preapplication determination requested by Mark D. Evans, MD.

PA Jones made a motion to accept the recommendation of the Licensing Committee for the Board to issue a determination that Mark D. Evans's criminal background would be disqualifying if an application for an LTL license were submitted. Seconded by Dr. King.

J. Malago recorded the roll-call vote: The motion passed; Yeas: Dr. Eyler, Dr. King, D. Philibert, J. Scott, Dr. Tandoh, R. Ciappenelli, Dr. Greenberg, Dr. Hildebrant, PA Jones, Dr. Liebow, S. Lorentz, and S. Tucker. Opposed: none; Abstained: none; Recused: Licensing Committee.

Dr. Hildebrant entertained a motion for the approval of the document prepared by J. Sheng of the Board's determination on the request for preapplication determination of Mark D. Evans, MD.

D. Philibert made a motion to adopt the document as presented by J. Sheng. Seconded by R. Ciappenelli. The motion passed; opposed: none; abstained: none; recused: none.

- **Presentation by Jessica McNally, MD, UVM Health Network Ophthalmologist –** Dr. McNally provided an overview of ophthalmologist education and training and reviewed the procedures that would be proposed to be added to the scope of practice for optometrists, if the recent report by the Office of Professional Regulation (OPR) results in introduction of legislation. The Board discussed the information presented and mentioned many concerns with the proposal to expand the scope of practice of optometrists.

Dr. Hildebrant entertained a motion to establish a Board position on the issue.

D. Philibert made a motion for the Board to oppose any legislation that may be introduced to expand the scope of practice of optometrists as set forth in the OPR report dated October 31, 2023, and that the Board later add a summary of the reasons supporting the position. Seconded by R. Ciappenelli. The motion passed; opposed: none; abstained: none; recused: none.

- **Reconvene meeting; Executive Session to Discuss:**
 - **Investigative cases recommended for closure**
 - **Other matters that are confidential by law, if any**

S. Lorentz made a motion at 2:49 PM to enter Executive Session to discuss confidential matters related to investigations. R. Ciappenelli seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

- **Return to Open Session 3:18 PM; Board Actions on matters discussed in Executive Session:**

Dr. Payne, Central Investigative Committee, asked to close:

MPC 169-0723 – Letter #1

MPC 196-1023 – Letter #1

S. Tucker made a motion to close the cases presented. Dr. Liebow seconded the motion. The motion passed; opposed: none; abstained: none; recused: Central Investigative Committee.

Dr. Liebow, South Investigative Committee, asked to close:

MPS 201-1023 – Letter #1 – Recused: Dr. King and Dr. Greenberg

MPS 170-0723 – Letter #1

MPS 101-1022 – Letter #1 – Recused: Dr. Coddair

D. Philibert made a motion to close the cases presented. Dr. Tandoh seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

- **Upcoming Board meetings, committee meetings, hearings, etc.:** Locations are subject to change. A notification will be provided if a change takes place.
 - **January 11, 2024, North Investigative Committee Meeting, 9:00 AM, Remote via Teams and 108 Cherry St. Suite 206, Burlington, VT 05402**
 - **January 12, 2024, Central Investigative Committee Meeting, 9:00 AM., Remote via Teams and 108 Cherry St. Suite 206, Burlington, VT 05402**
 - **January 17, 2024, Board Meeting on pending applications, 12:10 PM, Remote via Teams and 108 Cherry St. Suite 206, Burlington, VT 05402**
 - **January 17, 2024, South Investigative Committee Meeting, 12:15 PM, Remote via Teams and 108 Cherry St. Suite 206, Burlington, VT 05402**
 - **February 7, 2024, Licensing Committee Meeting, 10:30 AM, Remote via Teams and 108 Cherry St. Suite 206, Burlington, VT 05402**
 - **February 7, 2024, Board Meeting, 12:00 PM, Remote via Teams and 108 Cherry St. Suite 206, Burlington, VT 05402**

- **Open Forum:**
 - Dr. Hildebrant provided a welcome to Pat King, MD as a returning member to serve on the Board.

- **Adjourn:**

Dr. Hildebrant declared the meeting adjourned at 3:23 PM.

APPENDIX A

PRESENTATION OF FULL APPLICATIONS

January 3, 2024

Note: Applicants listed below have been notified that their applications for licensure appear to be complete and may be presented at the next scheduled Board Meeting.

**** Must pass through licensing prior to being presented.**

Name	School	Specialty	Practice Location
**Astaphan, Karl MD	University of Western Ontario	Family Medicine	TBD
Barbour, Kyle MD	University of California	Emergency Medicine (BC)	UVMMC
Bontempo, Nicholas AA-C	Case Western University	Anesthesiology	SWVMC
Burton, Daniel MD	University at Buffalo	Emergency Medicine	RRMC
Chan, Connie MD	University of Maryland	Emergency Medicine (BC)	Kaiser Permanente
**Dickinson, Richard MD	SUNY	Emergency Medicine (BC)	Access Medical
**Gerencir, Lauren PA-C	Chatham College	Unknown	RRMC Infectious Disease
**Gill, Kamraan MD	Duke University	Hematology (BC)	Ameripath
Greenberg, Karen MD	Boston University	Psychiatry (BC)	Telehealth
**Griswold, Sophie MD	Johns Hopkins University	Anesthesiology	Anesthesiology Cons.
Hebert, Morgan DPM	Temple University	Podiatry	Burlington Podiatry
**Kurtz, Bryan MD	UMDNJ	Emergency Medicine (BC)	UVMMC
Moris, Amy PA-C	George Washington University	Unknown	DHMC Primary Care
**Prince, Adam MD	Drexel University	Internal Medicine (BC)	SWVMC
Roy, Tristan PA-C	West Chester University	Unknown	TBD
Singh, Kumar MD	Dr. BR Ambedkar College (India)	Internal Medicine (BC)	Gifford
**Smith, Jennifer PA-C	SUNY Upstate	Unknown	TBD
Soucy, David PA-C	George Washington University	Unknown	UVM Orthopedics

1/3/2024

Presentation of Limited Temporary License Applications for Board Approval

26 VSA Section 1391 (e) authorizes a limited temporary license to practice medicine/Podiatry in the State of Vermont for a period of one year only. The following persons have applied for limited temporary licenses:

<u>Name</u>	<u>Program</u>	<u>Loction</u>	<u>Start Date</u>	<u>Type</u>
Poulin, James MD	Orthopedics	Killington	1/1/2024	MD

** Must pass through licensing prior to being presented.

These applications appear to have met the requirements. The Board, pursuant to 26 VSA Section 1391 (e), grants to each of them a limited temporary license.

**PRESENTATION OF FULL APPLICATIONS THAT HAVE BEEN ISSUED THROUGH
THE COMPACT**

Note: Applicants listed below have already received a license through the compact.

January 3, 2024

Credential Number	Name
<u>042.0017463-COMP</u>	Justin Richard Allen
<u>042.0017464-COMP</u>	Oliver Patrick Archibald
<u>042.0017465-COMP</u>	Amer Al-Nimr
<u>042.0017466-COMP</u>	Eunice Y Chen
<u>042.0017467-COMP</u>	Carla Chonillo
<u>042.0017468-COMP</u>	Monica Chun
<u>042.0017469-COMP</u>	Pavel Conovalciuc
<u>042.0017470-COMP</u>	Eric Shawn Dennis
<u>042.0017471-COMP</u>	Jorge Adolfo Hernandez
<u>042.0017472-COMP</u>	Joseph Eugene Holley
<u>042.0017473-COMP</u>	Michael Scott Jaffe
<u>042.0017474-COMP</u>	Stephen Luming Lee
<u>042.0017475-COMP</u>	Michael Levine
<u>042.0017476-COMP</u>	Jessica Matthess
<u>042.0017477-COMP</u>	Marlene Murphy-Setzko
<u>042.0017478-COMP</u>	Judith Nemet
<u>042.0017479-COMP</u>	EBERE NMAEZI OKEKE
<u>042.0017480-COMP</u>	Sumit Sunil Patel
<u>042.0017481-COMP</u>	Ramona Robinson
<u>042.0017482-COMP</u>	Amer Yousef Sayed
<u>042.0017483-COMP</u>	Jeremy Raymond Semeiks
<u>042.0017484-COMP</u>	Indranil Sen-Gupta
<u>042.0017485-COMP</u>	Shruti Singal
<u>042.0017486-COMP</u>	Emily Walker
<u>042.0017487-COMP</u>	Sharenda L Williams
<u>042.0017488-COMP</u>	Jessica Wilson
<u>042.0017489-COMP</u>	Cooper Campbell Wriston
<u>042.0017490-COMP</u>	BILAWAL AHMED
<u>042.0017491-COMP</u>	Anne Allen

<u>042.0017492-COMP</u>	Lisa Marie Baldwin
<u>042.0017493-COMP</u>	John L. Felix
<u>042.0017494-COMP</u>	Michael Dominic Gagliardi
<u>042.0017495-COMP</u>	William Gregory Gensheimer
<u>042.0017496-COMP</u>	Robert Clifton Glenn
<u>042.0017497-COMP</u>	Gregory Patrick Harders
<u>042.0017498-COMP</u>	Jazmine Alexandra Irish
<u>042.0017499-COMP</u>	Tammaji P Kulkarni
<u>042.0017500-COMP</u>	Gregory Lee Long
<u>042.0017501-COMP</u>	Laurie Jean Mercier
<u>042.0017502-COMP</u>	GREGSON O OGHAFUA
<u>042.0017503-COMP</u>	Divya Parihar
<u>042.0017504-COMP</u>	Meera Ravindranathan
<u>042.0017505-COMP</u>	Robert Charles Solomon
<u>042.0017506-COMP</u>	Kerri Renee Voigts
<u>042.0017507-COMP</u>	Dan Zuckerman
<u>042.0017508-COMP</u>	Richard Lee Vincent
<u>042.0017522-COMP</u>	Elizabeth Dianne Ferluga
<u>042.0017523-COMP</u>	Jeremy Andrew Halbe
<u>042.0017524-COMP</u>	Brooke T McLaughlin
<u>042.0017525-COMP</u>	Jerome Francis Xavier Naradzay
<u>042.0017526-COMP</u>	Lon Robert Steinberg