

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the August 2, 2023 Board Meeting
Remote via Teams

Unapproved

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

Dr. Rick Hildebrant, Board Chair, called the meeting to order at 12:05 PM

Members Present:

Richard Bernstein, MD; Richard Clattenburg, MD; David Coddair, MD; Gail Falk; Rick Hildebrant, MD; Suzanne Jones, PA-C; Leo LeCours; Stephanie Lorentz; Sarah McClain; Christine Payne, MD; Marga Sproul, MD; Margaret Tandoh, MD; Robert E. Tortolani, MD.

Others in Attendance:

David Herlihy, Executive Director; Paula Nenninger, Investigator; Scott Frennier, Investigator; Jane Malago, Operations Administrator; Justin Sheng, AAG; Megan Campbell, AAG; Bill Reynolds, AAG; Dr. Nels Kloster.

- **Approval of the Minutes of the July 5, 2023, and July 19, 2023, Board Meetings:**

Dr. Tortolani moved to accept the minutes of the July 5, 2023, and July 19, 2023, meetings. Dr. Bernstein seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

Dr. Hildebrant reminded the Board that this year, Sarah McClain will be leaving the Board. D. Herlihy offered a farewell and thanks to S. McClain for her services as a member of the Board. D. Herlihy reminded the Board that S. McClain began with the Board in 2011 and shared appreciation for the time S. McClain has spent with the Board.

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

- D. Herlihy mentioned that last month a mass email was sent out to all Board licensees. The information contained in the email included: a new requirement by the DEA for training in order to renew DEA registration; change to a Vermont Department of Health form required when a patient uses the End of Life Law; a note about how the Board deals with licensees' personal health issues and participation in Vermont Practitioner Health Program; and a free CME opportunity on Xylazine. J. Malago shared statistics on the delivery, receipt, and engagement of the message by the licensees.
- D. Herlihy shared that the Limited Temporary License (LTL) renewal period ended in June. J. Malago shared statistics and demographics about this year's initial and renewal LTLs
- D. Herlihy provided a reminder that August 16th is the Battle of Bennington state holiday, resulting in the mid-month and South Committee meetings to be held on August 23rd instead of the 16th.

- **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 moved for the issuance of physician licenses and physician assistant licenses. (See Appendix A)

PA Jones made a motion to accept all applicants for licensure as presented.

Seconded by Dr. Coddair. The motion passed; opposed: none; abstained: none; recused: none.

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

S. Lorentz made a motion to accept all applicants for licensure as presented.

Seconded by Dr. Coddair. The motion passed; opposed: none; abstained: none; recused: none.

- **Other Business:**

- D. Herlihy presented information about VPHP’s draft clinical policy on cannabis use. VPHP Medical Director Dr. Kloster was present to answer questions and further discuss the draft language. Dr. Kloster stressed the desire for input from the Board particularly referencing paragraph two of the draft. Board members had not received a copy of the draft for review prior to this meeting and decided to table the discussion and decisions for further review in the September meeting.
- D. Herlihy provided the Board an overview of the Dr. Lorna Breen Heroes’ Foundation, the work the foundation does to counter physician burnout and support physician wellness, and the suggestions they made for modifications to the wording of certain items on Board’s application forms. The ad hoc committee working on licensing process review had met on July 28 and reviewed the suggested changes; the committee’s recommendations were presented to the Board:
 - On the application reference form document, remove the question *“Do you know of any emotional disturbance, mental illness, organic illness, alcohol, or drug problem, which might impair the applicant’s ability to practice”* and replace it with *“Are you aware of any reason that this person cannot currently practice medicine safely?”*
 - In the application document, change the definition of currently from *“Currently – This term means recently enough that a reasonable person knowledgeable about substance use disorder and informed about your use of substances would find a risk to patients arising from that use”* to instead read *“Currently – This term means recently enough that your use of substances would pose a risk to patients.”*
 - In the application document, change the questions *“Do you have a medical condition that in any way impairs your ability to practice medicine in your field of practice with reasonable skill and safety?”* and, *“Are you currently engaged in the use of alcohol or other chemical substances that in any way impairs your ability to practice medicine in your field of practice with reasonable skill and safety?”* to remove the term *“in any way”* and instead read *“Do you have a medical condition that currently impairs your ability to practice medicine in your field of practice with reasonable skill and safety?”* and *“Are you currently engaged in the use of alcohol or other chemical substances that impairs your ability to practice medicine in your field of practice with reasonable skill and safety?”*

S. McClain made a motion to accept the changes to the application documents as recommended by the ad hoc committee. Seconded by Dr. Sproul. The motion passed; opposed: none; abstained: none; recused: none.

- D. Herlihy reminded Board members of the upcoming Board retreat. J. Malago shared the data from the results of the retreat survey provided to the Board members in the previous weeks. Dr. Hildebrant suggested that based on the top four interests expressed by the Board members, another vote be conducted once options for presenters are identified. D. Herlihy is to follow up with experts and J. Malago is to follow up with an additional survey.
- D. Herlihy acknowledged that he had notified Board members of a new lawsuit that included the Board of Medical Practice among the defendants. It was also noted that the suit names Board members in their official capacity as opposed to their personal capacity and that the Attorney General's Office will be providing defense.
- **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 1:50 PM to enter Executive Session to discuss confidential matters related to investigations. Dr. Bernstein seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

- **Return to Open Session at 2:29 PM**
- **Board Actions on matters discussed in Executive Session:**

L. LeCours, North Investigative Committee, asked to close:

MPN 122-1222 – Special #1
MPN 015-0223 – Special #1

Dr. Coddair made a motion to close the cases presented. Dr. Tortolani seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee.

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

MPC 126-1222 – Special #1

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

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

MPS 028-0322 – Special #2 – Dr. Sproul recused

MPS 156-0623 – Letter #1

L. LeCours 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.**
 - **August 10, 2023, North Investigative Committee Meeting, 9:00 AM, [Remote via Teams](#)**
 - **August 11, 2023, Central Investigative Committee Meeting, 9:00 AM., [Remote via Teams](#)**
 - **August 23, 2023, Board Meeting on pending applications, 12:10 PM, [Remote via Teams](#)**
 - **August 23, 2023, South Investigative Committee Meeting, 12:15 PM, [4th Floor Conference Room, Bloomer State Office Building, Rutland, VT and remote via Teams](#)**
 - **September 6, 2023, Licensing Committee Meeting, 10:30 AM, [Remote via Teams](#)**
 - **September 6, 2023, Board Meeting, 12:00 PM, [Remote via Teams](#)**

- **Adjourn:**

Dr. Hildebrant declared the meeting adjourned at 2:34 PM.

APPENDIX A

PRESENTATION OF FULL APPLICATIONS

August 2, 2023

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
Agrawal, Kunal MD	St. George's University	Neurology (BC)	Brattleboro Hospital
Banerjee, Elaine MD	Jefferson Medical College	Family Medicine (BC)	DHMC
**Flinn II, Benjamin MD	UVM	Family Medicine	CVMC
**Forman-Chou, Alexandra MD	University of Pittsburgh	Psychiatry (BC)	MD Live
Fratino, Christa PA-C	University of Nebraska	Unknown	Springfield Hospital ER
Gardiner, Aaron MD	University of California	Orthopedic Surgery (BC)	Three Peaks Medical
Gerecht, Ryan MD	Georgetown University	Emergency Medicine (BC)	Dartmouth
Graham, Jason MD	University of Missouri	Emergency Medicine (BC)	Centene Corporation
Heney, Ryan MD	Brown University	Family Medicine (BC)	Gifford
Khoory, Maged MD	University of Baghdad (Iraq)	Hematology (BC)	UVMC
Lamell, Camille PA-C	Mass College of Pharmacy	Unknown	Mansfield Orthopedics
Lavigne, Kyleigh PA-C	Duke University	Unknown	UVMC Nephrology
Liu, Joyce MD	Harvard	Medical Oncology (BC)	TBD
**Mansinghani, Sethesh MD	Texas A & M University	Anesthesiology	UVMC
Markowitz, Michael MD	University of Arizona	Internal Medicine (BC)	Community Health
**Martell, Robert MD	Wayne State University	Internal Medicine (BC)	CV Hem/Onc
Nassr, Kussay MD	Damascus University	Neurology (BC)	Brattleboro Memorial
Nemier, Oliva PA-C	Clarkson University	Unknown	Four Seasons Derm.
Ollive, Mariah PA-C	Mass College of Pharmacy	Unknown	NOTCH
**Pace, William MD	Columbia University	Diagnostic Radiology (BC)	After Hours Imaging
**Patrick, Katherine MD	SUNY Upstate	Emergency Medicine	UVMC ER

Pocock, Elizabeth MD	University of South Florida	Surgery (BC)	UVMC
Prakash, Neal MD	University of California	Neurology (BC)	DHMC
**Reddy, Aravind MD	University of Toledo	Neurology (BC)	Brattleboro Memorial
**Robison, Andrew PA-C	Interservice	Unknown	TBD
**Rodman III, Hendry PA-C	Bryant University	Unknown	Springfield Hospital ER
Samuel, Diana MD	Virginia Commonwealth University	Psychiatry (BC)	Private Practice
Schlozman, Steven MD	Brown University	Psychiatry (BC)	UVMC
Stone, Richard MD	Harvard	Internal Medicine (BC)	TBD
**Thraikill, Robert MD	University of Miami	Internal Medicine (BC)	Virtual Care
**Vincent, Julie MD	Wayne State University	Pediatrics (BC)	Gifford

8/2/2023

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>Hospital</u>	<u>Start Date</u>	<u>Type</u>
Capozza, Alexandria MD	Endocrinology	DHMC	8/1/23	MD
**Coleman, Emily MD	Dermatology	UVMHC	8/1/23	MD
Lee Strizich, Garrett MD	Internal Medicine	DHMC	8/1/23	MD
**Makar, Erica MD	Emergency Medicine	DHMC	8/1/2023	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.

August 2, 2023

<u>042.0017175-COMP</u>	Nevan George Baldwin
<u>042.0017176-COMP</u>	Marilyn Yuanxin Ma Bui
<u>042.0017177-COMP</u>	Michel Bernard Choueiri
<u>042.0017178-COMP</u>	Timothy John Howard Curlett
<u>042.0017179-COMP</u>	Caitlin Elsenbeck
<u>042.0017180-COMP</u>	Eric Fernandez
<u>042.0017181-COMP</u>	Joshua Halpern
<u>042.0017182-COMP</u>	Dexter E. Hazlewood
<u>042.0017183-COMP</u>	Ahsan Iftikhar
<u>042.0017184-COMP</u>	Raj Kandavanam
<u>042.0017185-COMP</u>	Christopher M Kozlowski
<u>042.0017186-COMP</u>	Eleanor Lai
<u>042.0017187-COMP</u>	Amy Patrice Levine
<u>042.0017188-COMP</u>	Billiken T Lin
<u>042.0017189-COMP</u>	LIANG LU
<u>042.0017190-COMP</u>	Matthew David Lynx
<u>042.0017191-COMP</u>	David Francis Moore
<u>042.0017192-COMP</u>	Suman Kumar Sawhney
<u>042.0017193-COMP</u>	Mark E Seib
<u>042.0017194-COMP</u>	Jeanine Shah
<u>042.0017195-COMP</u>	Ruchir Ashwinbhai Shah
<u>042.0017196-COMP</u>	Vinod Kumar Thukral
<u>042.0017197-COMP</u>	Phillip Arthur Triantos