

BOARD OF MEDICAL PRACTICE

In re: Loren Anthony Landis, MD)
)
) Docket Nos. MPN 208-1212 and
) MPN 210-1013

STIPULATION AND CONSENT ORDER

NOW COME the State of Vermont, by and through Vermont Attorney General Thomas J. Donovan, Jr., and Loren Anthony Landis, M.D. and hereby stipulate and agree as follows:

- 1. Loren Anthony Landis, MD (“Respondent”) holds Vermont medical license number 042.006551 originally issued by the Vermont Board of Medical Practice on October 8, 1980.
- 2. Jurisdiction in this matter rests with the Vermont Board of Medical Practice (“the Board”), pursuant to 26 V.S.A. §§ 1353-1357, 3 V.S.A. §§ 809-814, and other authority.

FINDINGS OF FACT

- 3. The Board opened the Docket No. MPN 208-1212 matter in December of 2012. The Board opened the Docket No. MPN 210-1013 matter in October of 2013. These matters were assigned to the North Investigative Committee of the Board (“the Committee”).
- 4. On December 3, 2014, the Board entered a Stipulation and Consent Order (“Order”) in the matters of Loren Anthony Landis, M.D., Docket Nos. MPN 208-1212 and 210-1013.

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Montpelier, VT
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5. The Order provides, in part, that Respondent shall retain the services of a “practice monitor,” the monitor shall report his/her findings to the Committee on a monthly basis, and after each monthly review, Respondent shall meet with the practice monitor to discuss the quality of Respondent’s treatment and medical record keeping. The Order further provides that “Respondent shall be responsible for ensuring that the practice monitor’s reports are timely submitted to the Committee.”
6. Respondent has failed to timely meet with his practice monitor and failed to ensure that the practice monitor’s reports were timely filed with the Committee on a number of occasions.

CONCLUSIONS OF LAW

7. It is unprofessional medical practice for a licensee to fail to comply with an order of the board or violate any term or condition of a license which is restricted or conditioned by the board in violation of 26 V.S.A. §§ 1354(a)(25).
8. Respondent acknowledges that it is the Board’s position that if the State were to file charges against Respondent, the State could satisfy its burden at a hearing and a finding adverse to him could be entered by the Board, pursuant to 26 V.S.A. § 1354(b)(2)
9. Respondent agrees that the Board may enter as its facts and/or conclusions paragraphs 1 through 6 above and further agrees that this is an adequate basis for the Board’s actions set forth herein. Any representation by Respondent herein is made solely for the purposes set forth in this agreement and to resolve this matter without formal charges and a hearing.

10. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Board, he has determined that he shall enter into this instant agreement with the Board. Respondent enters no further admission here, but to resolve this matter without further time, expense and uncertainty; he has concluded that this agreement is acceptable and in the best interest of the parties.

11. Respondent acknowledges that he is knowingly and voluntarily entering into this agreement with the Board. He acknowledges he has had the advice of counsel regarding this matter and in the review of this Stipulation and Consent Order. Respondent is fully satisfied with the legal representation he has received in this matter.

12. Respondent agrees and understands that by executing this document he is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Board in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, and to offer evidence of his own to contest any allegations by the State.

13. The parties agree that upon their execution of this Stipulation and Consent Order, and pursuant to the terms herein, the above-captioned matter shall be administratively closed by the Board. Thereafter, the Board will take no further action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.

14. This Stipulation and Consent Order is conditioned upon its acceptance by the Vermont Board of Medical Practice. If the Board rejects any part of this

document, the entire agreement shall be considered void. Respondent agrees that if the Board does not accept this agreement in its current form, he shall not assert in any subsequent proceeding any claim of prejudice from any such prior consideration. If the Board rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, it shall be kept in strict confidence, and it shall be without prejudice to any future disciplinary proceeding and the Board's final determination of any charge against Respondent.

15. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in his permanent Board file, shall constitute an enforceable legal agreement, and may and shall be reported to other licensing authorities, including but not limited to: the Federation of State Medical Boards Board Action Databank and the National Practitioner Data Bank.
16. In exchange for the actions by the Board, as set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.
17. The parties therefore jointly agree that should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Board, it may enter an order implementing the terms and conditions herein.

ORDER

WHEREFORE, based on the foregoing, and the consent of Respondent, it is hereby ORDERED that:

1. Respondent shall be reprimanded for the conduct set forth above.
2. Respondent shall pay an administrative penalty of \$500.00 consistent with 26 V.S.A. § 1361(b). Payment shall be made to the “State of Vermont Board of Medical Practice,” and shall be sent to the Vermont Board of Medical Practice office, at the following address: David Herlihy, Executive Director, Vermont Board of Medical Practice, P.O. Box 70, Burlington VT 05402-0070. The payment shall be made in three monthly payments of \$100, \$200 and \$200, starting one (1) month after this Stipulation and Consent Order is approved by the Board.
3. Respondent shall fully comply with the practice monitoring requirements of the Board’s December 3, 2014 Order, which are incorporated herein and shall stay in effect until Respondent is relieved of the requirements upon petition to the Board. Respondent may not petition the Board for relief from the requirement for monitoring until such time as he has submitted timely and satisfactory monitoring reports covering 24 consecutive months.
4. In the event that Respondent fails to meet with his practice monitor during any calendar month or fails to ensure that the monthly report is submitted within 20 days of their meeting, Respondent must make an immediate report to the Board, setting forth in writing all reasons for the

delay. If the Board finds that the delay in meeting with the Monitor and/or submitting a report was caused by Respondent and there was no reasonable justification for the failure to meet the timeliness requirements, then Respondent shall be suspended from the practice of medicine for the following periods, which are stipulated and not subject to dispute or appeal: first failure, one-week suspension; second failure, two-week suspension; third failure, one-month suspension; each successive failure, the preceding period of suspension plus an additional month (e.g., fourth failure results in two-month suspension).

5. In the event that Respondent is unable to practice medicine or stops practicing medicine, Respondent must notify the Board in writing and that period will not apply towards satisfaction of the required period of monitoring.

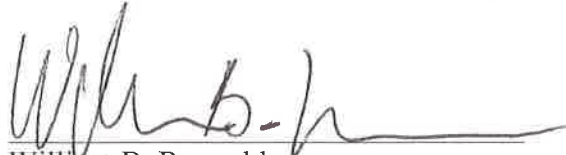
SIGNATURES

DATED at Montpelier, Vermont, this 5~~th~~ day of February, 2018.

STATE OF VERMONT

THOMAS J. DONOVAN, JR
ATTORNEY GENERAL

By:



William B. Reynolds
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001

DATED at Brattleboro, Vermont, this 25 day of Jan., 2018.



Loren Anthony Landis, MD
Respondent

DATED at Brattleboro, Vermont, this 25 day of Jan., 2018.



Evan B. Chadwick, Esq.
Counsel for Respondent

Chadwick Law LLC
P.O. Box 6182
Brattleboro, VT 05302

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AS TO LOREN ANTHONY LANDIS, MD
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE

David A. Jenkinson

Office of the
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109 State Street
Montpelier, VT
05609

DATED:

February 7th, 2018

ENTERED AND EFFECTIVE:

February 7th, 2018

AS TO LOREN ANTHONY LANDIS, MD
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE

Alan

Brent Buzge

W. P. Pyle

Anthony

Patricia

W. H. H. C.

Mark

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DATED:

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