

PRACTICE MONITORING AGREEMENT

Vermont Board of Medical Practice

John M. Severinghaus, M.D.

Docket No. MPN 135-0916

1. Pursuant to a Stipulation and Consent Order entered into by John M. Severinghaus, M.D. (“Dr. Severinghaus”) and the Vermont Board of Medical Practice (“the Board”) in Docket No. MPN 135-0916, Dr. Severinghaus has agreed to retain a practice monitor to monitor his medical practice. The purpose of this Practice Monitoring Agreement (“Agreement”) is to set forth the terms of the practice monitoring component of Dr. Severinghaus’s Stipulation and Consent Order (attached and incorporated hereto by reference). This Agreement will be signed by Dr. Severinghaus and the practice monitor approved by the North Investigative Committee (“the Committee”).
2. Dr. Severinghaus is responsible for selecting a practice monitor.
3. The practice monitor chosen by Dr. Severinghaus shall be a Vermont licensed physician with an unconditioned license who has experience in the areas of psychiatry, substance abuse treatment and buprenorphine prescribing.
4. Dr. Severinghaus shall seek the Committee’s approval of a practice monitor. He shall provide the Committee, in writing, with the name and curriculum vitae of the proposed practice monitor. The Committee will provide a written response to Dr. Severinghaus. If the Committee rejects Dr. Severinghaus’s proposed practice monitor,

- he shall provide the Committee with the name and curriculum vitae of another proposed practice monitor.
5. Dr. Severinghaus shall provide the practice monitor with a copy of the fully executed Stipulation and Consent Order.
 6. The practice monitoring shall start within 70 days of the date that the Board approves the Stipulation and Consent Order (hereinafter referred to as the “start date”).
 7. The practice monitor shall perform a monthly record review of five of Dr. Severinghaus’s patients to whom is he providing substance abuse treatment which includes the prescribing of buprenorphine. The patient records shall be randomly selected by the practice monitor. The practice monitor shall meet with Dr. Severinghaus on a monthly basis to discuss the findings of his/her record review. Dr. Severinghaus is responsible for ensuring that there is appropriate documentation of each monthly record review and discussion. Such documentation shall include the date of each record review, and the date and length of time of each discussion between the practice monitor and Dr. Severinghaus regarding the findings of each chart review. This documentation shall be submitted with each monthly practice monitoring report.
 8. After the Committee has received 12 consecutive, favorable and timely monthly monitor reports, Dr. Severinghaus may submit a written request to the Committee to reduce the record reviews and discussions and submission of practice monitoring reports to occur on a quarterly basis.

9. The practice monitor shall report his/her findings in a detailed written report to the Committee for three full years. The first report shall be submitted no later than one month after the start date.
10. Dr. Severinghaus shall be responsible for ensuring that the practice monitor's reports are timely submitted to the Committee.
11. The practice monitoring shall continue for a total of three years from the start date. At the end of the three-year monitoring period, Dr. Severinghaus shall submit a written request to the Committee to end the requirement for practice monitoring. Such a request shall not be considered by the Committee until Dr. Severinghaus has provided favorable and timely monitoring reports for three complete years. The Committee will provide a written response to Dr. Severinghaus's petition for relief. If the Committee approves his petition for relief from the practicing monitoring, the Committee shall present Dr. Severinghaus's petition for relief from the practice monitoring to the Board. The monitoring of Dr. Severinghaus's practice shall not end until the Board issues an Order granting Dr. Severinghaus relief from the practice monitoring.
12. In the event that the practice monitor can no longer monitor Dr. Severinghaus's practice, Dr. Severinghaus shall notify the Committee in writing within five days of receiving notice that the practice monitor can no longer monitor his practice. Dr. Severinghaus shall retain the services of a new practice monitor, subject to preapproval by the Committee. Within 30 days of providing written notice to the Committee that the practice monitor can no longer monitor his practice, Dr. Severinghaus shall provide the Committee with the name and curriculum vitae of the proposed new practice monitor. The Committee will provide written notification to

Dr. Severinghaus indicating whether it approves or disapproves of the new proposed practice monitor.

13. In the event that the practice monitor can no longer monitor Dr. Severinghaus's practice and ceases to perform his/her obligations under this Agreement if a new practice monitor is not approved by the Committee within 60 days of receiving notice that the practice monitor can no longer monitor his practice, Dr. Severinghaus shall not prescribe any medications (controlled and uncontrolled substances) to patients unless and until he has a Committee-approved practice monitor who is actively monitoring his practice in full compliance with the terms and conditions of this Agreement.
14. The Committee retains the unfettered discretion to disapprove Dr. Severinghaus's practice monitor at any time. If the Committee disapproves of Dr. Severinghaus's practice monitor, it will provide Dr. Severinghaus with written notice of the disapproval and a brief explanation of reasons for the disapproval. Once Dr. Severinghaus receives this written notice from the Committee, Dr. Severinghaus shall immediately notify his practice monitor that he/she is no longer approved to monitor his practice, and the practice monitor shall immediately cease from monitoring Dr. Severinghaus's practice. Consistent with paragraph 13 above, if a new practice monitor is not approved by the Committee within 60 days of receiving notice that the practice monitor can no longer monitor his practice, Dr. Severinghaus shall not prescribe any medications (controlled and uncontrolled substances) to patients. Dr. Severinghaus shall not resume prescribing any medications until the first day that the new practice monitor can begin monitoring his practice. Dr. Severinghaus shall

follow the procedures for proposing a new practice monitor as set forth in paragraph 12 above.

15. Dr. Severinghaus shall be responsible for ensuring that the following is reviewed by the practice monitor and discussed and documented in the practice monitoring reports:

- a. Documentation of each chart review performed by the practice monitor and discussions of the findings of the chart review as described in paragraph 7 above that occurred during the time period that covers each monthly or quarterly review;
- b. Whether Dr. Severinghaus's prescribing practices meet the standard of care;
- c. Whether Dr. Severinghaus's medical record keeping is in accordance with the standard of care;
- d. Whether Dr. Severinghaus's clinical monitoring of substance abuse treatment patients to whom he is prescribing buprenorphine meets the standard of care;
- e. Whether Dr. Severinghaus's substance abuse treatment practice, specifically including the prescribing of buprenorphine, meets the standard of care; and
- f. Recommended improvements to Dr. Severinghaus's practice;

16. Prior to the submission of each monitoring report to the Committee, the practice monitor shall meet with Dr. Severinghaus to discuss the findings of his/her practice monitoring report. Dr. Severinghaus shall be responsible for ensuring that the

occurrence of such meetings, as well as what was discussed, is appropriately documented in writing and provided to the Committee upon request.

17. Each monitoring report shall include the dates and length of time that he/she met with Dr. Severinghaus to review the findings of his/her monitoring report.
18. The practice monitor shall review any other documents, records, files, logs, etc. that will provide the requisite information needed to prepare written monitoring reports.
19. The practice monitor shall speak with Dr. Severinghaus's co-workers to obtain the requisite information needed to prepare the written monitoring reports.
20. The Board will not bear any of the costs associated with the practice monitor.
21. Dr. Severinghaus and the practice monitor agree that they have both read this Agreement in its entirety and agree to all of the terms and obligations set forth herein.
22. Dr. Severinghaus and the practice monitor agree that the terms of this Agreement cannot be amended or modified in any way without written approval of the Committee.

Signatures

DATED at Norwich, Vermont, this 14 day of April, 2020.

John M. Severinghaus, M.D.
John M. Severinghaus, M.D.

DATED at Lyme, ~~Vermont~~, this 14th day of April, 2020.
New Hampshire

Dorothy West MD
Practice Monitor