

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the May 7, 2014 Board Meeting
Gifford Medical Center, Randolph, Vermont

Approved

1. Call to Order; Introduce New Members; Call the Roll; Acknowledge Guests:

Patricia A. King, MD called the meeting to order at 12:17 p.m.

Members Present:

Richard Bernstein, MD; Brent Burgee, MD; Michael Drew, MD; Allen Evans, Janice M. Gallant, MD; Faisal Gill; Robert G. Hayward, MD; William K. Hoser, PA-C; Patricia Hunter; David A. Jenkins; Patricia A. King, MD; Leo LeCours; David Liebow, DPM; Sarah McClain; Joshua Plavin, MD; Harvey Reich, MD; Marga Sproul, MD.

Others in Attendance:

David Herlihy, Executive Director; Paula Nenninger, Investigator; Karen LaFond, Operations Administrator; Margaret Vincent, AAG; Robert McDougall, AAG; Bill Reynolds, AAG; Robert Simpson, Esq., Presiding Officer.

2. Public Comment:

None

3. Approval of Minutes of the April 2 and the April 16, 2014 Board Meetings:

Mr. Hoser moved to accept the minutes of the April 2, 2014 meeting. Me. LeCours seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Ms. McClain moved to accept the minutes of the April 16, 2014 meeting. Dr. Reich seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

4. Board Issues (Dr. King):

Dr. King provided an overview of the annual meeting of the Federation of State Medical Boards held in April in Denver, Colorado. She highlighted the key points of the draft of the Interstate Medical Licensure Compact and the work of the committees that have been formed to determine the feasibility of an interstate compact. Dr. King also summarized the new FSMB Model Policy for the Appropriate Use of Telemedicine Technologies in the Practice of Medicine, which was also adopted at the annual meeting. Mr. Herlihy added that at the annual meeting Dr. King received the John H. Clark, MD Leadership Award honoring her contributions to the Board and medical regulation. He also reported that Dr. King was elected to the Board of Directors of the FSMB. Board members were extremely pleased to learn of these accomplishments and were very supportive of her new ventures.

5. Administrative Update (Mr. Herlihy):

Mr. Herlihy informed members that Jassen Bluto's last day was April 30th, and Ms. Nenninger

will be covering all investigative duties until the position is filled. He advised that the investigator position is currently undergoing the RFR process and as soon as that has completed, the job will be posted for hiring.

Mr. Herlihy informed the new members that scholarships are available to offset the cost of attending the annual FSMB conference and as soon as the information becomes available about the 2015 meeting, he will pass it along.

6. Presentation of Applications (12:30 p.m. – 12:45 p.m.):

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

7. Presentations to the Board (12:45 p.m. – 1:15 p.m.):

Licensing Matter:

Dr. King informed the Board that the Licensing Committee reviewed a second request from Shelly Bankston to provide a petition to the USMLE to support her request for a waiver of rules that make her ineligible to complete USMLE testing. The Committee recommended that the Board not change its position and not submit a petition on her behalf.

Dr. Reich made a motion to support the Licensing Committee's recommendation to deny the second request to provide a petition in support of Ms. Bankston's request for a waiver to take the USMLE test. Dr. Hayward seconded the motion. The motion passed; opposed: none; abstained: none; recused: Dr. Sproul.

8. Recess; Convene hearing to discuss any stipulations or disciplinary matters that are before the Board (1:15 p.m. – 1:45 p.m.)

• **In re: Cynthia A. Haselton, MD – MPS 12-0212 - Stipulation and Consent Order**

Mr. Simpson and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Dr. Hayward made a motion to approve the Stipulation and Consent Order. Mr. Jenkins seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

9. Reconvene meeting; Executive Session to Discuss:

- **Investigative cases recommended for closure**
- **Other matters that are confidential by law, if any**

Dr. Plavin made a motion at 1:45 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Reich seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

10. Return to Open Session; Board Actions on matters discussed in Executive Session:

Ms. McClain made a motion at 3:06 p.m. to return to Open Session. Dr. Plavin seconded the motion. The motion passed; opposed: none; abstained: none; recused: none.

11. Board Actions on Committee recommendations with regard to any non-confidential matters:

Dr. King, North Investigative Committee, asked to close:

MPN 236-1213 – Special Letter #1
MPN 237-1213 – Letter #1
MPN 24-0314 – Letter #1

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

Mr. Jenkins, Central Investigative Committee, asked to close:

MPC 14-0214 – Letter #1
MPC 214-1013 – Letter #1 – Dr. Reich recused
MPC 213-1013 – Letter #1 – Dr. Reich recused
MPC 219-1013 – Letter #1

Dr. Reich made a motion to close the cases presented. Mr. LeCours seconded the motion. The motion passed; opposed: none; abstained: none; recused: Central Investigative Committee and 1.

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

MPS 4-0114 – Letter #1
MPS 87-0313 – Special #2 – Dr. King recused
MPS 230-1113 – Letter #1
MPS 7-0214 – Letter #1 – Mr. Jenkins and Dr. Gallant recused

Dr. Plavin made a motion to close the cases presented. Dr. Bernstein seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee and 3.

12. Other Business:

Dr. King noted that the draft of the DATA 2000 Policy was included in the packet for discussion. Mr. Herlihy stated that he would share the draft with the Vermont Medical Society for their input and would incorporate the suggestions into a final draft for approval at the June meeting.

Dr. King also informed the members that, at the FSMB annual meeting, Mr. Herlihy was appointed to the Board of Directors of the Administrators in Medicine (AIM) as the Eastern Representative. Board members were very supportive of this achievement.

13. Upcoming Board meetings, committee meetings, hearings, etc.: (Locations are subject to change. You will be notified if a change takes place.)

- May 15, 2014, North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 3rd Floor, Conference Room 3B,

Burlington, VT

- **May 16, 2014, Central Investigative Committee Meeting, 9 a.m., Liquor Control Conference Room, Basement Floor, 13 Green Mountain Drive, Montpelier, VT**
- **May 21, 2014, Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2nd, Floor Burlington, VT (and via telephone)**
- **May 21, 2014, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **June 4, 2014, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **June 4, 2014, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

14. Open Forum:

None

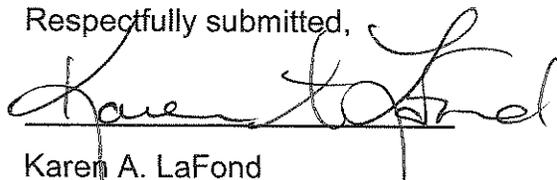
15. Adjourn:

Dr. Hayward made a motion to adjourn. Mr. Gill seconded the motion. The motion passed; opposed: none; abstained: none; recused: none.

Meeting adjourned at 3:21 p.m.

Attachments: Appendix A

Respectfully submitted,



Karen A. LaFond
Medical Licensing & Operations Administrator

APPENDIX A

Presentation of Applications

Dr. King moved for the issuance of physician licenses and physician assistant licenses for:

Daniel Albert, MD	Matthew Alef, MD	Ali Bakhshalizadeh, MD
Rebecca Bell, MD	Suchandra Brahma, MD	John Curtis, MD
Gary Dier, MD	David Dodick, MD	Rasai Ernst, MD
Steven Friese, MD	Sarah Fulham, MD	Sarah Guth, MD
Sarah Harm, MD	Samantha Harris, DPM	Elizabeth Hill, MD
Sarah Logan, MD	John Lyons, III, MD	Michael Nissenbaum, MD
Honghui Qiu, MD	Simha Ravven, MD	Samreen Raza, MD
Sarah Rich, MD	Mary Schuh, DPM	Neal Sherman, MD
Byron Spencer, MD	Sarah Stork, PA-C	Rebecca Tinsman, MD
Pierre Znojkwicz, MD	Richard Zuckerman, MD	

Recommended by Dr. Hayward for licensure. Seconded by Dr. Gallant. The motion passed; opposed: none; abstained: none; recused: none.