

**VERMONT BOARD OF MEDICAL PRACTICE**  
**Minutes of the August 2, 2017 Board Meeting**  
**Gifford Medical Center, Randolph, Vermont**

**Unapproved**

**1. Call to Order; Call the Roll; Acknowledge Guests:**

Robert K. Hayward, MD, Vice-Chair, called the meeting to order at 12:20.

**Members Present:**

Richard Bernstein, MD; Brent Burgee, MD; Michael Drew, MD; Allen Evans;  
Faisil Gill; David A. Jenkins; Leo LeCours; David Liebow, DPM; Sarah McClain;  
Christine Payne, MD; Ryan Sexton, MD; Marga Sproul, MD.

**Others in Attendance:**

David Herlihy, Executive Director; Paula Nenner, Investigator; Scottie  
Frennier, Board Investigator; Karen LaFond, Operations Administrator; Margaret  
Vincent, AAG; Bill Reynolds, AAG; George Belcher, Esq., Laureen Arena

**2. Approval of the Minutes of the July 5 and July 19, 2017 Board Meetings:**

Dr. Drew moved to accept the minutes of the July 5, 2017 meeting. Dr. Liebow  
seconded the motion. The motion passed; opposed: none; recused: none;  
abstained: none.

Dr. Bernstein moved to accept the minutes of the July 19, 2017 meeting. Dr.  
Drew seconded the motion. The motion passed; opposed: none; recused: none;  
abstained: none.

**3. Board Issues (Dr. Hayward):**

None

**4. Administrative Update (Mr. Herlihy):**

Mr. Herlihy reminded the board members that expense reports are due for the  
last quarter of FY '17.

Mr. Herlihy provided an update on the license renewal cycle for the Limited-  
Training-Licenses for Physicians and Podiatrist and the Podiatrist license  
renewal: MD-LTL – 238 renewed, 88 new; DMP-LTL – 5 renewed, 2 new; DPM –  
35 renewed.

Mr. Herlihy inquired of members whether they have been receiving email  
correspondence from the Federation of State Medical Boards (FSMB). He  
advised that he would ask FSMB to send email directly to the members.

Mr. Herlihy provided an update on the CME Audit: 152 physicians were audited; 31 cases were opened: 4 responded with documentation showing satisfaction of the requirements (documentation not provided in response to multiple earlier requests); 27 remain “uncompliant” for various reasons, which is a 19% rate of non-compliance as of July 31<sup>st</sup>. He noted that there are 11 additional licensees of the 152 audited who had not replied at all as of July 31<sup>st</sup> and that staff is working to find updated contact information to resolve those remaining cases.

Mr. Herlihy noted that legislative proposals must be submitted to the Health Department during August. He indicated that he plans to submit three proposals that have been previously approved by the Board and the Health Department, but that had not resulted in legislation. Those are: the Interstate Compact for Medical Licensure; revision of the Patient’s Privilege to make clear the Board’s authority to obtain medical records; and, revision of the law on reporting medical staff actions.

Finally, Mr. Herlihy reminded members that the Public Comment portion of the meeting had been moved to 2:00 PM to allow for anticipated comments.

#### **5. Presentation of Applications:**

Applications for physician and physician assistant licensure, and certifications of radiologist and anesthesiologist assistants were presented and acted upon as detailed in Appendix A, incorporated by reference into these minutes.

#### **6. Presentations to the Board:**

#### **7. Recess; Convene hearing to discuss any stipulations or disciplinary matters that are before the Board:**

- **In re: Daniel J. Weiss, MD – MPN 148-1110 – Request for Relief from Conditions**

Mr. Belcher and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Request for Relief from Conditions. Mr. Jenkins made a motion to approve the Request for Relief from Conditions. Dr. Payne seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee.

- **In re: Mark C. Meredith, MD – MPC 099-0617 – Cessation of Practice Agreement**

Mr. Belcher and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Cessation of Practice. Ms. McClain made a motion to approve the Cessation of Practice. Dr. Drew seconded the motion. The motion passed; opposed: none; abstained: none; recused:

Central Investigative Committee.

- **In re: Adnan Sikander Khan, MD – MPN 145-1016 – Stipulation and Consent Order**

Mr. Belcher and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Request for Stipulation and Consent Order. Dr. Liebow made a motion to approve the Stipulation and Consent Order. Dr. Drew seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee.

- **In re: Matthew V. Hopkins, MD – MPS 089-0617 – Cessation of Practice Agreement**

Mr. Belcher and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Cessation of Practice. Mr. Jenkins made a motion to approve the Cessation of Practice. Dr. Sexton seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

- **In re: Christine Mary Staats, MD – MPS 092-0616 – Petition for Relief from Conditions**

Mr. Belcher and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Petition for Relief from Conditions. Dr. Bernstein made a motion to approve the Petition for Relief from Conditions. Mr. LeCours seconded the motion. The motion passed; opposed: none; abstained: none; recused: 1 and South Investigative Committee.

- **In re: Stephen H. Fox, MD – Licensing Matter – Petition for Relief from Conditions**

Mr. Belcher and Ms. Vincent addressed the Board, summarizing the facts leading up to the Petition for Relief from Conditions. Dr. Sexton made a motion to approve the Petition for Relief from Conditions. Dr. Payne seconded the motion. The motion passed; opposed: none; abstained: none; recused: Licensing Committee.

- **In re: Luis Alberto Bauzo, MD – MPC 155-1015 – Stipulation and Consent Order**

Mr. Belcher and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Ms. McClain made a motion to approve the Stipulation and Consent Order. Dr. Drew

seconded the motion. The motion passed; opposed: none; abstained: none; recused: 1 and Central Investigative Committee.

**8. Reconvene meeting; Executive Session to Discuss:**

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

Mr. Gill made a motion at 1:26 p.m. to enter into Executive Session to discuss confidential matters related to investigations. Ms. McClain seconded the motion. The motion passed: opposed: none; abstained: none; recused: none

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

Dr. Liebow made a motion at 2:00 p.m. to return to Open Session. Dr. Drew seconded the motion. The motion passed; opposed: none; abstained: none; recused: none.

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

**Mr. LeCours, North Investigative Committee, asked to close:**

MPN 059-0517 – Letter #1  
MPN 063-0517 – Letter #1  
MPN 023-0317 – Special Letter #2  
MPN 074-0517 – Special Letter #1  
MPN 072-0517 – Letter #1

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

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

MPC 080-0517 – Special Letter #1; Dr. Sexton recused  
MPC 083-0517 – Special Letter #1  
MPC 038-0417 – Special Letter #1  
MPC 079-0517 – Special Letter #1  
MPC 084-0517 – Special Letter #1  
MPC 054-0417 – Letter #1  
MPC 078-0517 – Special Letter #1

Ms. McClain 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. Reich, South Investigative Committee, asked to close:**

MPS 081-0517 – Special Letter #1  
MPS 046-0417 – Special Letter #1; Dr. Payne and Dr. Sexton recused  
MPS 057-0417 – Special Letter #1; Dr. Sproul recused  
MPS 058-0417 – Special Letter #1  
MPS 082-0517 – Special Letter #1  
MPS 043-0417 – Special Letter #1  
MPS 163-11116 – Referral to AG  
MPS 085-0517 – Special Letter #1; Dr. Payne recused  
MPS 086-0517 – Special Letter #1  
MPS 044-0216 – Special Letter #3

Mr. Gill made a motion to close the cases presented. Mr. LeCours seconded the motion. The motion passed; opposed: none; abstained: none; recused: 2 and South Investigative Committee.

**11. Public Comment:**

Laureen Arena addressed Board members for 30 minutes to express her concerns about the opioid crisis in Vermont. She offered many observations about the drug crisis and illicit drugs. She explained to the Board her belief that in Vermont “drugs have been used as a weapon.” She stated that she has come into contact with six doctors who refused to treat her because of opioids. She added that she believes that doctors do not listen to the patient, look only at the record, and that no one would know how to treat her based upon her medical record. She went on that she believes doctors do what they want in Vermont. She has to leave the state each month to seek treatment and she believes that doctors do not follow ethics. She wants to see legislation to change the situation.

**12. Other Business:**

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

- **August 10, 2017, North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 3<sup>rd</sup> Floor, Conference Room 2C, Burlington, VT**
- **August 11, 2017, Central Investigative Committee Meeting, 9 a.m., Central Vermont Medical Center, Conf. Rm. 2, Berlin, VT**

- **August 23, 2017, Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2<sup>nd</sup>, Floor Burlington, VT (and via telephone)**
- **August 23, 2017, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **September 6, 2017, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **September 6, 2017, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

**14. Open Forum:**

**15. Adjourn:**

Dr. Hayward declared the meeting adjourned at 2:29 p.m.

**Attachments: Appendix A**

## APPENDIX A

### Presentation of Applications

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

Robert Berger, MD	Ashley Birtz, PA-C	Anne Brewer, MD
Donald Catino, MD	Gregory Dadekian, MD	Suzanna Dotson, MD
Hussam Elkambergy, MD	David Ferrell, MD	Clive Fields, MD
Judy Fingergut, MD	Gustavo Gabino Miranda, MD	Matthew Geeslin, MD
Daniel Greenwald, MD	Mark Hanson, PA-C	Hunkai Hu, MD
Francis Kirk, III, MD	Jana Lichtenfeld, MD	Guillermo Linares, MD
Garth Miller, MD	Helen Muhlbauer, MD	Madhuri Nannapaneni, MD
Alana Nevares, MD	Timothy Nydam, MD	Ravikanth Papani, MD
Jennifer Read, MD	Claudia Rodriguez Galvis, MD	Brian Steiner, MD
Carin van Gelder, MD	David Wallstrom, PA-C	David Whitten, MD

Recommended by Ms. McClain for licensure. Seconded by Dr. Drew. The motion passed; opposed: none; abstained: none; recused: none.

**Dr. Hayward moved for the issuance of Limited Temporary Physician licenses for:**

William Levitt, MD

Recommended by Mr. LeCours for licensure. Seconded by Ms. McClain. The motion passed; opposed: none; abstained: none; recused: none.