

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the July 3, 2024, Board Meeting
280 State Drive, Waterbury, VT 05671
Remote via Teams

Unapproved

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

Dr. Rick Hildebrant, Board Chair, called the meeting to order at 12:04 PM
David Herlihy called the roll.

Members Present:

Rob Ciappenelli; David Coddair, MD; Evan Eyler, MD; Gail Falk; Rachel Gaidys, MD;
Matthew Greenberg, MD; Rick Hildebrant, MD; Suzanne Jones, PA-C; Patricia King, MD;
Stephanie Lorentz; Ian Odigie, DPM; Dawn Philibert; Judy Scott; Margaret Tandoh, MD;
Robert E. Tortolani, MD; Scott Tucker.

Others in Attendance:

Megan Campbell, AAG; Scott Frennier, Investigator; Kelly Lawler, Administrative Service
Technician IV; Ron Hunt, MLOA; Lauren Layman, Esq.; David Herlihy, Executive Director;
Kurt Kuehl, AAG; Paula Nenner, Investigator; Bill Reynolds, AAG; Justin Sheng, AAG;
George Belcher, Esq.

- **Approval of the Minutes of the June 5, 2024, Board Meeting:**

Stephanie Lorentz moved to accept the minutes of the June 5, 2024, meeting. Dawn
Philibert seconded the motion. The motion passed; opposed: none; recused: none;
abstained: none.

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

No issues noted by Dr. Hildebrant

- **Administrative Updates (D. Herlihy):**
 - **Ron Hunt, the new Medical Licensing and Operations Administrator, was introduced to the Board.**
 - **Members were advised that an amendment to the Vermont Public Meeting law requires all entities holding public meetings to offer a hybrid option and to record all meetings.** The requirement to record public meetings does not include executive sessions. The amendments to the law became effective on July 1; it was noted that the meeting was being recorded. With open session being recorded and posted, conversations and images will be available for public viewing; all should be attentive to this change and assume that our comments and actions could be scrutinized.
 - **New application options for Telehealth Registration and Telehealth License for MD, DPM, and PA have been added to the Board’s online system.** D. Herlihy noted all the work Tracy Hayes did creating six new applications and six different sets of instructions and updating the online system to make them all available to applicants.
 - **LTL season completed – almost 450 new and renewal licenses issued. Over 300 renewals and over 130 newly licensed residents.**
 - **D. Herlihy shared that over the past several weeks staff had been dealing with staff shortages and many different demands on their time.** He thanked staff for their dedication and hard work, and thanked members for their patience, as there may have been times when tasks were not completed as quickly as is the norm.
 - **Members were informed that a new “E-Blast” will be sent to all licensees in coming weeks.** As of July 3, there are two topics. (1) Publication of the Joint Statement on IV Hydration to all licensees. (2) Notice of new guidelines on Pediatric and Adult Brain Death and Death by Neurologic Criteria. The Department of Health and the Board were contacted by an NYU neurologist and neurosurgeon, who took part in a project by the American Academy of Neurology, American Academy of Pediatrics, Child Neurology Society, and Society of Critical Care Medicine to update the guidelines. Vermont law requires that determination of death be in accordance with accepted medical standards, so this work will be announced to licensees. There may be other topics added to the E-Blast as well.
 - **The Board was advised that there will be a need for members to participate in a hearing panel for a case with pending charges.** The charges originated from the South Committee; the panel will be made up of members from the Central and North Committees. The panel requires at least three members and there must be

at least one MD and at least one public member on the panel. Once the hearing dates are set a request will be sent out to eligible members.

- **Other Business:**

- **Overview of Symposium on Alternative Pathways to Licensure for Foreign-Trained Physicians (“FTPs”)** -- the Chair and Executive Director provided the Board an overview of the symposium they attended in Washington, DC on June 18. The event, convened by FSMB, focused on the concept of establishing alternative pathways to licensure for physicians who trained overseas and who have not completed a residency program in the United States or Canada.

Dr. Hildebrant noted that there is no structure for evaluation or accreditation of foreign training programs and that creating a system to do that will be essential for making a reliable process for licensing FTPs. He added that the ECFMG, which oversees a program for accreditation of foreign medical schools, has indicated they will work on such a program.

Dr. Hildebrant noted that three states have done the most in this area. Tennessee previously passed a law creating a pathway for FTPs, but no physicians have been licensed using that process and the law has recently been changed. Maine considered a law that would have created non-residency training programs for FTPs as a pathway to licensure, but the bill was not passed because of the cost. New York has put a lot of effort into reviewing FTPs on a case-by-case basis, but the number of licensees obtained is quite small for a state with about 100,000 physicians.

D. Herlihy added that a Commission has been established to create common standards and principles to promote consistency among states. The main purpose of the symposium was for states to come together to give the Commission input.

- **Medical Licensing Requirements Topics in the News** – D. Herlihy provided the Board a brief overview of a recent report presented to the Green Mountain Care Board and the AHS Director of Healthcare Reform. The report was part of a process directed by a 2022 law. It calls for efforts to make the Vermont healthcare system sustainable. The report mentioned concerns about healthcare workforce issues, including the consultant’s use of the term “burdensome licensing processes.” It was pointed out that in 2023 the Board engaged in a thorough review of licensing processes, which resulted in many recommendations

to revise processes. Some changes have been made, some are being implemented, and some will not be achieved until the IT system is updated.

- **Naturopathic Physician Technical Advisory Group** – The Board was asked to assist the Department of Health staff prepare for a study group directed by Act 158 of 2024 that will make recommendations as to whether Vermont law should be amended to add naturopathic physicians to the healthcare professionals who can take part in medical/legal issues such as end of life, COLST, and DNRs. The Board identified the following:
 - information about each of the processes, specifically the factors considered in each process and the role of the clinician, and what is at stake if the participating physician is not well prepared to participate in the process;
 - facts about the education and training of allopathic, osteopathic, and naturopathic physicians;
 - if there is a gap between the education and training of allopathic and osteopathic physicians as compared to the education and training of naturopaths, are there resources available to address any gaps; and,
 - to what extent are naturopaths involved in these processes in other states?
- **Discussion of any stipulations or disciplinary matters that are before the Board (12:58 PM):**

In re: Tania Sarkaria, MD – Summary Suspension Motion – Matter MPS 175-0823 and MPS 067-0424

Judge Belcher greeted the Respondent and their counsel, and then did the roll call. Judge Belcher invited AAG Campbell to present the matter. AAG Campbell addressed the Board, summarizing the facts leading up to the Summary Suspension Motion. Respondent's counsel responded to the allegations and motion. At 2:07 PM the Board entered deliberative session, accompanied by Hearing Office Belcher. The members of the South Committee did not participate in the deliberative session. At 2:40 PM the Board left deliberative session and the meeting resumed. Dr. Greenberg made a motion to reject the Summary Suspension Motion. Dawn Philibert seconded the motion.

R.Hunt recorded the roll-call vote: The motion passed; Yeas: Ten Opposed: none; Abstained: none; Recused: South Investigative Committee

- **Hearing Concluded at 2:44 PM**
- **Convene meeting; Executive Session to Discuss:**
 - Investigative cases recommended for closure
 - Other matters that are confidential by law, if any

Matt Greenberg made a motion at 2:45 PM to enter Executive Session to discuss confidential matters related to investigations. Dawn Philibert seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

- **Return to Open Session 3:46 PM; Board Actions on matters discussed in Executive Session: (Dr. Hildebrant left the meeting during Executive Session; Dr. Greenberg acted as Chair beginning at 3:34 PM)**

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

MPN 016-0223 – Special Letter #2
MPN 104-1022 – Letter #1 – Recused: Dr. Tandoh
MPN 207-1023 – Letter #1

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

G. Falk, Central Investigative Committee, asked to close:

MPC 200-1023 – Special Letter #1
MPC 014-0124 – Special Letter #1
MPC 130-1222 – Letter #1
MPC 217-1123 – Special Letter #1
MPC 001-0124 – Special Letter #1

Dr. King made a motion to close the cases presented. Scott Tucker seconded the motion. The motion passed; opposed: none; abstained: none; recused: Central Investigative Committee.

PA Jones, South Investigative Committee, asked to close:

MPS 053-0324 – Letter #1

MPS 042-0244 – Letter #1

MPS 012-0124 – Special Letter #1

MPS 026-0124 – Letter #1 – Recused Dr. Greenberg

MPS 219-1123 – Special Letter #2

MPS 048-0224 – Letter #1

MPS 029-0124 – Special Letter #1

Dawn Philibert made a motion to close the cases presented. Dr. King 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.](#)
 - **July 11, 2024, North Investigative Committee Meeting, 9:00 AM,** [Remote via Teams and 280 State Drive, Waterbury, VT 05671](#)
 - **July 12, 2024, Central Investigative Committee Meeting, 9:00 AM.,** [Remote via Teams and 280 State Drive, Waterbury, VT 05671](#)
 - **July 17, 2024, South Investigative Committee Meeting, 12:00 PM,** [Remote via Teams and 280 State Drive, Waterbury, VT 05671](#)
 - **August 7, 2024, Licensing Committee Meeting, 10:30 AM,** [Remote via Teams and 280 State Drive, Waterbury, VT 05671](#)
 - **August 7, 2024, Board Meeting, 12:00 PM,** [Remote via Teams and 280 State Drive, Waterbury, VT 05671](#)
- **Adjourn:** Dr. Greenberg declared the meeting adjourned at 3:57 PM.

APPENDIX A

PREVIOUS MONTH'S APPROVED APPLICATIONS