

**VERMONT BOARD OF MEDICAL PRACTICE**  
**Minutes of the July 6, 2022 Board Meeting**  
**108 Cherry Street, Burlington, VT**  
**and remote via Teams**

**Unapproved**

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

Rick Hildebrant, MD, Vice Chair, called the meeting to order at 12:02 PM

**Members Present:**

Richard A. Bernstein, MD; Maureen Bogosian; Brent Burgee, MD; Gail Falk; Matt Greenberg, MD; Rick A. Hildebrant, MD; Patricia Hunter; Suzanne Jones, PA-C; Leo LeCours; David Liebow, DPM; Marga Sproul, MD; Margaret Tandoh, MD; Robert E. Tortolani, MD.

**Others in Attendance:**

David Herlihy, Executive Director; Scott Frennier, Investigator; Karen LaFond, Operations Administrator; Justin Sheng, AAG; Megan Campbell, AAG; Kurt Kuehl, AAG; George Belcher, Esq.; Bernie Lambek, Esq.; Donald Kollisch, MD.

**2. Revision of Agenda:**

Dr. Hildebrant informed the members of a request for an addition to item 8, the public hearing section of the meeting, for the Board to consider a modification of the stipulation in the licensing matter In re: Jeffrey Allyn, MD – MPN 016-0322 that was included in the Stipulation and Consent Order approved by the board on February 2, 2022.

Dr. Liebow made a motion to accept the revision and addition to the agenda. Ms. Bogosian seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

**3. Approval of the Minutes of the June 1 and June 15, 2022 Board Meetings:**

Dr. Tortolani moved to accept the minutes of the June 1 and June 15, 2022 meetings. Ms. Jones seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

**4. Board Issues (Ms. McClain):**

Dr. Hildebrant provided an update on the two subcommittees discussed at the June meeting: Diversity, Equity, and Inclusion (DEI) and Telemedicine. Ms. McClain, Dr. Sproul, and Dr. Tortolani have volunteered for DEI; Dr. Hildebrant, Ms. Jones, and Ms. Hunter have volunteered for Telemedicine. He noted that only members from the South Committee are on Telemedicine and that it would be desirable to have more than 3 members on each committee. He encouraged other members who are interested to contact Mr. Herlihy to sign up for one before the meetings are scheduled.

**5. Administrative Updates (Mr. Herlihy):**

Mr. Herlihy informed members of the unexpected passing of Paula Nenninger's mother. He noted the obituary is available and a service will be held in Burlington, VT on Sunday July 11.

Ms. LaFond mentioned that she and Mr. Herlihy hope to send out the "summer e-news from the Board" next week.

## 6. Presentation of Applications:

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

Dr. Hildebrant called for a motion for the issuance of physician licenses and physician assistant licenses. (See Appendix A)

Dr. Bernstein made a motion to accept all applicants for licensure as presented. Seconded by Ms. Hunter. The motion passed; opposed: none; abstained: none; recused: none.

Dr. Hildebrant called for a motion for the issuance of limited temporary licenses to practice medicine. (See Appendix A)

Dr. Greenburg moved for licensure of the LTL applicants as presented. Seconded by Ms. Jones. The motion passed; opposed: none; abstained: none; recused: none.

## 7. Other Business:

- **CME requirement for 2022 MD renewal** – Dr. Hildebrant opened the discussion by noting that for the 2020 MD renewal the Board reduced the standard requirement from 30 hours to 15. The requirement for physicians licensed more than 365 days but less than the full two years was reduced from 15 hours to 10 hours (the statute requires a minimum of at least 10 hours for renewal). The subject-specific requirements were not modified as they are in law. Dr. Hildebrant inquired of the members if they wanted to modify CME requirements for 2022 given the ongoing impact COVID-19 had on the medical community since the beginning of the current cycle on December 1, 2020. Several members expressed support for reducing the CME requirements for MD renewal. No members indicated opposition.

Mr. LeCours made a motion to reduce the CME requirements as had been done for the 2020 renewal; Ms. Jones seconded. The motion passed; opposed: none; recused: none; abstained: none.

- **Continuation of discussion of modification of instructions on applications for licensure that pertain to questions about impairment. Draft proposals are attached.**

Mr. Herlihy recapped the discussion of this item at the June meeting, which had not resulted in a decision. He reviewed the new documents attached to the agenda pertaining to this item: an excerpt from the 2020 MD renewal application showing the directions and questions in the section on medical conditions and use of substances

and a page with the portions proposed for revision with the changes indicated with underline and strikethrough. He noted that while this discussion concerns the section with questions 87 – 106 on the MD renewal application form, any changes approved will also be applied to the same questions that appear on all applications for licensure and renewal for all professions licensed by the Board. There was discussion of the changes proposed to the definition of “currently” and to question 90. Dr. Sproul suggested that the proposed language in question 90 could leave readers with questions and proposed refining it. Ms. Falk suggested that the first sentence of the definition of “currently” would be clearer if it just ended after the words “from use.” Discussion of those two suggestions ensued and led to consideration of the following:

"Currently" - This term means recently enough that a reasonable person knowledgeable about substance use disorder and informed about your use of substances would find a risk to patients arising from that use. A licensee who participates in the Vermont Practitioner Health Program (VPHP) may answer “No” to question 90 if: you have informed VPHP of your behavior or condition, have been evaluated, have entered an agreement with VPHP, and you are complying with all of VPHP’s requirements for evaluation, treatment, and/or monitoring.

90. Are you currently engaged in the use of alcohol or other chemical substances in a manner that impairs your ability to practice medicine in your field of practice with reasonable skill and safety?

Dr. Hildebrant called for a motion regarding the language in that form for the 2022 renewal and the other application forms. Dr. Tortolani made a motion to approve the changes for the application forms as set forth above; Ms. Hunter seconded the motion. The motion passed; opposed: none; recused: none; abstained: Dr. Tandoh.

- **Approval of changes to wording of questions on applications. The Board will consider proposed revision to the wording of questions 111 (electronic prescribing) and 113 (malpractice claims) on the MD renewal application (and the same questions that are numbered differently on other applications). The proposed revisions are presented in an attached document.**

Mr. Herlihy reviewed the proposed revisions as presented in the attachment. Dr. Bernstein asked if in the first bullet point under question 111 the term “seen” should be changed to bring in the concept of an established physician-patient relationship. Several members agreed with that change. The wording of the first bullet point was modified to read:

- Use of an electronic medical record or other system to enter and transmit prescriptions for patients with whom you have established a physician-patient relationship in person or using audio and visual communication;

Dr. Hildebrant called for a motion to change question 111 on the MD renewal application and the same question on other applications as stated in the attachment except for the amendment (as noted immediately above). Ms. Hunter moved to change question 111 on the MD renewal application and on other applications to:

111. Do you currently prescribe, or do you plan to prescribe in your Vermont practice, prescription medication or devices solely in response to communication by computer or other electronic means? This does not include:

- use of an electronic medical record or other system to enter and transmit prescriptions for patients you have seen in person or using audio and visual communication;
- initial admission orders for newly hospitalized patients;
- prescribing for patients of a physician for whom you have taken call;
- prescribing for a patient examined by a licensed APRN or PA or other practitioner with whom you have a supervisory or collaborative relationship; or
- continuing medication on a short-term basis for a new patient prior to the new patient's first appointment.

Dr. Tortolani seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Mr. Herlihy began the discussion of the changes proposed for question 113 on the MD renewal application and other applications. He explained that the changes to this question were only changes to the formatting. Dr. Hildebrant asked for a Motion to amend the format of question 113 as presented; Ms. Hunter moved; Dr. Sproul seconded. The motion passed; opposed: none; recused: none; abstained: Dr. Tortolani.

- **Report on communication by medical boards about sexual misconduct by physicians.** At its August 2021 meeting, the Board discussed a draft report about medical board websites prepared jointly by two groups, the Informed Patient Institute and the Patient Safety Action Network. This is another report by the same groups called *Communicating About Physician Sexual Misconduct. How are State Medical Boards Doing?* This item is for information. It is available at: <https://www.patientsafetyaction.org/wp-content/uploads/2022/06/Final-Report-PSAN-Physician-Sexual-misconduct-6-13-22.pdf>.

Mr. Herlihy informed members that the organizations listed above issued this final report on how boards communicate about physician sexual misconduct. He noted that the report is fairly short and readable, and that the information may be helpful for the Board when it reviews the messaging on the website. It is anticipated that the Health Department will be upgrading the website platform in coming months and that may give rise to an opportunity to improve the BMP website.

- **Board Retreat Planning.** On several occasions, the Board has designated a meeting, typically in September, as a retreat day and devoted a substantial portion of the meeting time to educational activities that relate to the work of the Board.

Dr. Hildebrant asked members if they would like to have a retreat meeting this year and asked for suggestions of topics that might be taken up. Dr. Bernstein suggested the topic of telemedicine and technological barriers. Dr. Tortolani suggested topics related to the stressors experienced by licensees in the past two years. Ms. Falk suggested

staffing challenges in medicine and the potential for staff shortages impacting quality of care. Mr. Herlihy noted that the range of topics is broad and might include any legal or medical issues relevant to the Board's work. He also noted that Ms. McClain had indicated a preference for scheduling this in October to allow time to work on the agenda and presentations. Members were asked to think about what they would like to see on the agenda and email him any additional suggestions for topics.

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

• **In re: Farhaad R. Riyaz, MD – Cessation of Practice Agreement – MPC 012-0122**

Mr. Kuehl addressed the Board, summarizing the facts leading up to the Cessation of Practice Agreement. Mr. LeCours made a motion to approve the Cessation of Practice Agreement. Dr. Bernstein seconded the motion.

Ms. LaFond recorded the roll-call vote: The motion passed; Yeas: Dr. Bernstein; Mr. LeCours; Dr. Sproul; Dr. Tandoh; Dr. Hildebrant; Ms. Hunter; Dr. Liebow; Ms. Jones; Dr. Tortolani; Opposed: none; Abstained: none; Recused: Central Investigative Committee

• **In re: Donald O. Kollisch, MD – Stipulation and Consent Order – MPN 011-0121**

Ms. Campbell addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Dr. Liebow made a motion to approve the Stipulation and Consent Order. Ms. Falk seconded the motion.

Ms. LaFond recorded the roll-call vote: The motion passed; Yeas: Dr. Burgee; Ms. Bogosian; Ms. Falk; Dr. Greenberg; Dr. Hildebrant; Ms. Hunter; Dr. Lieow; Ms. Jones; Opposed: none; Abstained: none; Recused: Dr. Tortolani and North Investigative Committee

• **In re: Jeffrey Allyn, MD – Request for Modification of Monitoring Agreement – MPN 016-0322**

Mr. Kuehl addressed the Board, summarizing the facts leading up to the Request for Modification of the Reentry Stipulation. Ms. Jones made a motion to approve the Request for Modification of the Reentry Stipulation. Dr. Tortolani seconded the motion.

Ms. LaFond recorded the roll-call vote: The motion passed; Yeas: Dr. Burgee; Ms. Bogosian; Ms. Falk; Dr. Greenberg; Dr. Hildebrant; Ms. Hunter; Dr. Lieow; Ms. Jones; Dr. Tortolani; Opposed: none; Abstained: none; Recused: North Investigative Committee.

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

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

Dr. Bernstein made a motion at 1:49 PM to go into Executive Session to discuss confidential matters related to investigations. Ms. Hunter 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:**

Dr. Bernstein made a motion at 2:10 PM to return to Open Session Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

**Ms. Falk, Central Investigative Committee, asked to close:**

MPC 122-0821 – Special Letter #2; Dr. Tandoh recused

Dr. Liebow made a motion to close the case presented. Ms. Hunter seconded the motion. The motion passed; opposed: none; abstained: none; recused: 1 and Central Investigative Committee.

**Dr. Liebow, South Investigative Committee, asked to close:**

MPS 020-0322 – Administrative Close

Dr. Bernstein made a motion to close the case presented. Dr. Liebow seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

**11. Board Actions on Committee recommendations regarding any non-confidential matters:**

None

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

- July 14, 2022, North Investigative Committee Meeting, 9 AM, [\*108 Cherry Street, Burlington, VT and remote via Teams\*](#)
- July 15, 2022, Central Investigative Committee Meeting, 9 AM, [\*108 Cherry Street, Burlington, VT and remote via Teams\*](#)
- July 20, 2022, Board Meeting on pending applications, 12:10 PM, [\*108 Cherry Street, Burlington, VT and remote via Teams\*](#)
- July 20, 2022, South Investigative Committee Meeting, 12:15 PM, [\*108 Cherry Street, Burlington, VT and remote via Teams\*](#)
- August 3, 2022, Licensing Committee Meeting, 11:00 AM, [\*108 Cherry Street, Burlington, VT and remote via Teams\*](#)
- August 3, 2022, Board Meeting, 12:00 PM, [\*108 Cherry Street, Burlington, VT and remote via Teams\*](#)

**13. Open Forum:**

Dr. Tortolani requested clarification about the South Investigative Committee meeting in person. Mr. Herlihy stated that the South Committee has agreed to meet in-person quarterly, but that all the monthly meetings are now warned as located at the Board

office at 108 Cherry Street in Burlington and also remote via Teams because the authority to hold remote meetings with no physical site is no longer in effect.

**14. Adjourn:** The meeting was adjourned at 2:17 PM.

# APPENDIX A

## PRESENTATION OF FULL APPLICATIONS

July 6, 2022

**Note: Applicants listed below have been notified that their applications for licensure appear to be complete and may be presented at the next scheduled Board Meeting.**

**\*\* Must pass through licensing prior to being presented.**

<b>Name</b>	<b>School</b>	<b>Specialty</b>	<b>Practice Location</b>
**Baker, Benjamin PA-C	Quinnipiac University		CHCB
Bennett, Megan MD	Northeast Ohio Medical Univ.	Family Practice	RRMC
**Bottino, Gino MD	NY Medical College	Internal Medicine (BC)	SWVMC
Buell, Alexander MD	Frank Netter School of Medicine	Psychiatry	CVMC
Degidio, Jon-Michael AA-C	Nova Southeastern	Anesthesiology	UVMC Dept of Anes.
**Floyd IV, Waldo MD	Medical College of Georgia	Emergency Medicine (BC)	UVMC
Fuccillo, Elizabeth PA-C	Franklin Pierce		CHCB
Hayati, Zabi MD	Medical Univ. of the Americas	Internal Medicine	North Country Hospital
Hinkle, John MD	University of Pennsylvania	Ophthalmology (BC)	Retina Center of Vermont
**Hoffman, Mark MD	UVM	Family Practice (BC)	Middlebury Free Clinic
Huber, Samuel MD	University of Rochester	Psychiatry (BC)	MVP Healthcare
**Inglis, Robert MD	University of California	Emergency Medicine	UVMC
Ivan, Adrian MD	University of Novi Sad (Serbia)	Internal Medicine	Mt. Ascutney
Kaftan, Samantha PA-C	University of Nebraska		SWVMC Expresscare
**Kallen, Joshua MD	University of Connecticut	Diagnostic Radiology (BC)	NWVMC
**Lake, Marlyn MD	University of Miami	Neurology (BC)	Specialists on Call
**LaScala, Leah MD	University of Rochester	Internal Medicine	Mount Ascutney
**Laverty, Edward PA-C	Hahnemann Medical College		Upper Conn Valley Hosp.
**Malik, Elizabeth MD	University of Colorado	Emergency Medicine	UVMC
**Marx-Amile, Theresa MD	Northeast Ohio Medical University	Internal Medicine (BC)	Calibrate Health
**Morrison, Francis MD	University of Texas	Family Practice (BC)	CVS Minute Clinic



Oehlke, Jessica MD	Albany Medical College	Psychiatry (BC)	WRJ VA
**Podberezin, Mark MD	Tver State Med Academy (Russia)	Anatomic Pathology (BC)	Locum Tenens
**Salameh, Myriam MD	Lebanese University (Lebanon)	Pediatrics	Porter Hospital
**Shelton, Cloe MD	Dartmouth	Diagnostic Radiology (BC)	Virtual Radiologic
**Singh, Amarpreet MD	Government Med College (India)	Psychiatry	InnovaTel
Steinmetz, David MD	University of Pennsylvania	Internal Medicine	UVMC
Waters, Emma PA-C	Albany Medical College		NOTCH
Wigton Bell, Nathan PA-C	Johnson and Wales University		UVMC ER
**Wilson, Jacqueline PA-C	Albany Medical College		NWVMC ER
Wu, Calvin MD	University of Southern California	Internal Medicine (BC)	Carbon Health

7/6/2022

## Presentation of Limited Temporary License Applications for Board Approval

26 VSA Section 1391 (e) authorizes a limited temporary license to practice medicine/Podiatry in the State of Vermont for a period of one year only. The following persons have applied for limited temporary licenses:

<u>Name</u>	<u>Program</u>	<u>Hospital</u>	<u>Start Date</u>	<u>Type</u>
Beamish, Claire MD	Internal Medicine	DHMC	7/1/22	MD
Casler, Nicholas MD	Internal Medicine	SWVMC	7/1/22	MD
Chisholm, Sarah MD	Pediatrics	DHMC	7/1/22	MD
Goldberg, Uri MD	Internal Medicine	DHMC	7/1/22	MD
Khanna, Aakanksha MD	Rheumatology	DHMC	7/1/22	MD
Levine, Danielle MD	Pediatrics	DHMC	7/1/22	MD
Neu, Nolan MD	Psychiatry	DHMC	7/1/22	MD
**O’Gorman, Brendan MD	Internal Medicine	DHMC	7/1/22	MD
Olender, Shelby MD	Psychiatry	DHMC	7/1/22	MD
**Reed, Jordan MD	Radiology	UVMMC	7/1/22	MD
Singh, Kavish MD	Internal Medicine	DHMC	7/1/22	MD
Stirling, Kevin MD	Hospice/Palliative Care	DHMC	7/1/22	MD
Worsham, Whitney MD	Psychiatry	DHMC	7/14/22	MD
**Xue, Shan MD	Internal Medicine	DHMC	7/1/22	MD

\*\* Must pass through licensing prior to being presented.

These applications appear to have met the requirements. The Board, pursuant to 26 VSA Section 1391 (e), grants to each of them a limited temporary license.

**PRESENTATION OF FULL APPLICATIONS THAT HAVE BEEN ISSUED THROUGH THE  
COMPACT**

*Note: Applicants listed below have already received a license through the compact.*

*July 6, 2022*

<b>Credential Number</b>	<b>Name</b>
<a href="#"><u>042.0016174-COMP</u></a>	SYED NASEER ABBAS
<a href="#"><u>042.0016175-COMP</u></a>	Grace Helen Akiens
<a href="#"><u>042.0016176-COMP</u></a>	Nora Immordino Feldpausch
<a href="#"><u>042.0016177-COMP</u></a>	Richard Holt Gascoigne, Jr
<a href="#"><u>042.0016178-COMP</u></a>	Arsalan K Khan
<a href="#"><u>042.0016179-COMP</u></a>	Leslie Steven Leighton
<a href="#"><u>042.0016180-COMP</u></a>	Darrell Nettlow
<a href="#"><u>042.0016181-COMP</u></a>	Jane Salkoff Noah
<a href="#"><u>042.0016182-COMP</u></a>	Steven Pepper
<a href="#"><u>042.0016183-COMP</u></a>	Patrice Lennisia Scipio
<a href="#"><u>042.0016184-COMP</u></a>	Sandhya Seetharam
<a href="#"><u>042.0016185-COMP</u></a>	Michele Leigh Zucker
<a href="#"><u>042.0016186-COMP</u></a>	Irene Ekene Cornell-Ade
<a href="#"><u>042.0016188-COMP</u></a>	Yao Jen Chang
<a href="#"><u>042.0016189-COMP</u></a>	Mark Gregory Goss
<a href="#"><u>042.0016190-COMP</u></a>	Nona Hanson
<a href="#"><u>042.0016191-COMP</u></a>	Russell David Japikse
<a href="#"><u>042.0016192-COMP</u></a>	Audrey Lance
<a href="#"><u>042.0016193-COMP</u></a>	Mehrukh Mujeeb
<a href="#"><u>042.0016194-COMP</u></a>	Meir Scheinfeld
<a href="#"><u>042.0016195-COMP</u></a>	Janell Hill Wilson
<a href="#"><u>042.0016212-COMP</u></a>	Tommeka M Archinard
<a href="#"><u>042.0016213-COMP</u></a>	Paresh J Bharodiya
<a href="#"><u>042.0016214-COMP</u></a>	Andrew Charles Bishop
<a href="#"><u>042.0016215-COMP</u></a>	Victoria Maria Diokno
<a href="#"><u>042.0016216-COMP</u></a>	Valerie Gendron
<a href="#"><u>042.0016217-COMP</u></a>	Ryan Sykes Jean-Baptiste
<a href="#"><u>042.0016218-COMP</u></a>	Suzannah Jame Luft
<a href="#"><u>042.0016219-COMP</u></a>	Murat Mardirossian

<a href="#"><u>042.0016220-COMP</u></a>	Kent Northcote
<a href="#"><u>042.0016221-COMP</u></a>	Mark Anthony Ruiz
<a href="#"><u>042.0016222-COMP</u></a>	Lawrence Peter Shombert
<a href="#"><u>042.0016223-COMP</u></a>	Diana E. Velikova
<a href="#"><u>042.0016225-COMP</u></a>	David Adam Crabtree
<a href="#"><u>042.0016226-COMP</u></a>	Zoohra Mashriqi
<a href="#"><u>042.0016227-COMP</u></a>	DEBRA A PATT
<a href="#"><u>042.0016228-COMP</u></a>	Simon Alexander Ritchie