

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the June 2, 2021 Board Meeting
*****REMOTE MEETING*****

Approved

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

Richard Bernstein, MD, Chair, called the meeting to order at 12:07 PM

Members Present:

Brent Burgee, MD; Richard Clattenburg, MD; Allen Evans; Gail Falk; Francis Heald; Rick A. Hildebrant, MD; William K. Hoser, PA-C; Patricia Hunter; Leo LeCours; David Liebow, DPM; Ryan Sexton, MD; Marga Sproul, MD; Margaret Tandoh, MD; Robert E. Tortolani, MD.

Others in Attendance

David Herlihy, Executive Director; Paula Nenninger, Investigator; Scott Frennier, Investigator; Karen LaFond, Operations Administrator; Margaret Vincent, AAG; Megan Campbell, AAG; Kassandra Diederich, AAG; Bill Reynolds, AAG; George Belcher, Esq.; Jessa Barnard, Vermont Medical Society; Brad Salzman, PA-C; Sarah Bushweller, PA-C.

2. Approval of the Minutes of the May 5 and May 19, 2021 Board Meetings:

Dr. Hildebrant moved to accept the minutes of the May 5, 2021 meeting. Mr. LeCours seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Hildebrant moved to accept the minutes of the May 19, 2021 meeting. Dr. Tortolani seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

3. Board Issues (Dr. Bernstein):

Dr. Bernstein asked Ms. Hunter to report out to the Board about a project being undertaken to examine issues surrounding the transition from medical school to residency (also referred to as “undergraduate medical education, or “UME,” and graduate medical education, or “GME.”). Ms. Hunter represents the Board and FSMB on the Planning Committee of the Coalition for Physician Accountability (CPA), which is a group composed of representatives from various stakeholders interested in medical education, training, regulation, certification, and the USMLE. The CPA is a forum to interact and promote better understanding among participants how changes in their various programs may affect other interests. The issues currently being discussed have to do with how medical students are prepared and evaluated for GME. These issues are much debated and impact the Board in its role as the licensing authority for all residents who enter training programs in Vermont. The USMLE has recently announced a change from numerical scores to pass/fail grading for Step I of the USMLE, based on concern that use of Step 1 scores in competition for GME positions has had some unintended consequences. The project that Ms. Hunter described was undertaken by a group formed by the CPA and known as the UME-GME Review Committee, or UGRC. The UGRC met and has drawn up 42 recommendations that relate to licensing examinations and the evaluation of medical students as they compete for GME positions. More information about the Committee’s

work is available online at: [UGRC-Recommendations-Public-Comment-Period-April-26-May26-1.pdf](#)
([physicianaccountability.org](#)) .

4. Administrative Updates (Mr. Herlihy):

Mr. Herlihy suggested that during the September Retreat the Board could have an in-depth discussion about how to move forward for meetings and consider in-person, virtual or a hybrid. At this time, state employees will continue to work remotely until September 1, 2021. Later this summer, staff will have a similar discussion about the transition back to working in the office and the role of remote work going forward.

5. 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. Bernstein moved for the issuance of physician licenses and physician assistant licenses (See Appendix A)

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

Dr. Bernstein moved for the issuance of limited temporary licenses to practice medicine.
(See Appendix A)

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

6. Other Business:

- **Revision of Board Rules** – A draft of proposed changes was provided to members and Mr. Herlihy reviewed the proposed changes which included:
 - 22.3 (p.17) – Maintain a prohibition on an MD receiving a prescription for controlled substances from a PA for whom the MD acts as “participating physician”?
 - 23.2.3 (p.20) – Addition of a provision allowing the Board to specifically designate an activity for CME credit if it is not approved for AMA PRA Category 1 credit?
 - Section III (p.23) – review of PA changes.
 - Section VIII (p.56) – nondisciplinary financial penalties.
 - Section IX (p. 58) – Preapplication Determination on Criminal Background.
 - Section X (p.59) – Licensing of military spouses.
 - Section XI (p.60) – Special fee provisions for military members and their spouses.

Mr. Herlihy asked members to review the changes and asked for further discussion at the July meeting. He encouraged members to email him thoughts and input before the next meeting to allow for an in-depth discussion.

- **Legislation - Summary of outcomes of bills of interest to the Board.** This item was discussed after Executive Session.

Mr. Herlihy noted that S.30 - An act relating to prohibiting possession of firearms within hospital buildings - <https://legislature.vermont.gov/bill/status/2022/S.30> was passed by the Senate, but was not taken up by the House Judiciary Committee. The Chair of the Judiciary Committee has announced that it will be discussed during next year's session.

Mr. Herlihy provided the update that S.22 - An act relating to health care practitioners administering stem cell products not approved by the U.S. Food and Drug Administration - <https://legislature.vermont.gov/bill/status/2022/S.22> passed this legislative session.

He added that H.104 passed as Act 21. What began as a bill about delivery of mental health services to Vermont patients by out-of-state health professionals using telehealth was transformed and become a bill ordering a more general study by stakeholders of the facilitation of interstate practice by health care professionals using telehealth. <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT021/ACT021%20As%20Enacted.pdf>. The law calls for the Office of Professional Regulation and the Board to participate in the study, with the Executive Director representing the Board.

Also passed was Act 33, which began as H. 210, a bill regarding disparities in the health care system and promoting racial equity in the system. <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT033/ACT033%20As%20Enacted.pdf>. The Act calls on the Board to give input to the Health Care Advisory Commission about how to improve cultural competency and cultural humility and foster anti-racism among health care professionals through initial training, continuing medical education, and other investments.

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

- **In re: William F. Long, MD – Stipulation and Consent Order – MPC 160-1019**

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

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

8. Reconvene meeting; Executive Session to Discuss:

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

Dr. Hildebrant made a motion at 1:50PM to go into Executive Session to discuss confidential matters related to investigations. Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

Mr. LeCours made a motion at 2:31 PM to return to Open Session Ms. Hunter seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Sexton, Central Investigative Committee, asked to close:

MPC 079-0921 – Letter #1
MPC 024-0320 – Special Letter #2; Mr. Hoser recused
MPC 050-0518 – Letter #1
MPC 037-0321 – Special Letter #1
MPC 008-0121 – Special Letter #1

Mr. LeCours made a motion to close the cases 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 029-0320 – Special Letter #1
MPS 006-0121 – Letter #1; Dr. Sproul and Dr. Tandoh recused
MPS 002-0121 – Special Letter #1
MPS 103-1220 – Special Letter #!; Dr. Sproul recused

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

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

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

- June 10, 2021, North Investigative Committee Meeting, 9 AM *(Remote)*
- June 11, 2021, Central Investigative Committee Meeting, 9 AM *(Remote)*
- June 16, 2021, Board Meeting on pending applications, 12:10 PM *(Remote)*
- June 16, 2021, South Investigative Committee Meeting, 12:15 PM *(Remote)*
- July 7, 2021, Licensing Committee Meeting, 11:00 AM *(Remote)*
- July 7, 2021, Board Meeting, 12:00 PM *(Remote)*

12. Adjourn: Dr. Bernstein declared the meeting adjourned at 2:44PM.

APPENDIX A

PRESENTATION OF FULL APPLICATIONS

June 2, 2021

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.**

Name	School	Specialty	Practice Location
**Alapati, Sailaja MD	Guntur Medical School (India)	Anesthesiology (BC)	GM Pediatric Dentistry
**Apel, Nicole PA-C	Midwestern University		TBD
**Baginski, Scott MD	University of Cincinnati	Diagnostic Radiology (BC)	Virtual Radiologic
Bernstein, Roman MD	Ross University	Internal Medicine (BC)	Telemedicine
**Bober, Robert MD	University of Maryland	Internal Medicine (BC)	TBD
Bolton IV, Kenyon MD	UVM	Internal Medicine	CVMC
Chaudhry, Sonia MD	Jefferson Medical College	Orthopedics (BC)	Carlos Otis Clinic
Decker, Barbara MD	St. Georges University	Neurology (BC)	UVMMC
Duff, Patrick MD	Pediatrics	Pediatrics	Timber Lane Peds
**Fayre, Gail MD	University of Miami	Family Practice (BC)	UVMMC
Jarvis, Adrienne MD	UVM	Family Practice (BC)	Thomas Chittenden
**Lunardini, Jessica MD	University of Pittsburgh	Internal Medicine	TBD
**Lutkevich, Connie MD	University of Minnesota	Surgery (BC)	Springfield Hospital
Mann, Elizabeth MD	Tufts University	Internal Medicine (BC)	Cedar Hill Care
Markus, Sarah MD	University of Colorado	Emergency Medicine	Brattleboro Memorial
**Medendorp, Andrew MD	Northeastern University	Urology (BC)	CVMC
Mohammad, Shaden MD	University of Toledo	Diagnostic Radiology (BC)	Virtual Radiologic
**Morais, Joshua MD	George Washington University	Diagnostic Radiology (BC)	Virtual Radiologic
**Parker, Jacqueline MD	Weill Medical College		CVMC
Roberts, Catherine MD	University of Arizona	Diagnostic Radiology (BC)	Virtual Radiologic
Rousakis, Sarah PA-C	Sullivan University		TBD

**Shea, Katherine MD	Dartmouth	Psychiatry (BC)	DHMC
Shreeve, Scott MD	University of Utah	Emergency Medicine	Crossover Health
Smith, Diana MD	Med Univ of South Carolina	Psychiatry (BC)	Specialist on Call
**Smythe, Kendra PA-C	Penn State University		Copley Hospitalist
Thoms, Brendan MD	Imperial College London	Internal Medicine	UVMHC
**Thornton, Patrice MD	NY Medical College	Internal Medicine (BC)	SWVMC Northshire

6/2/2021

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:

Name	Program	Hospital	Start Date	Type
Agrawal, Alisha MD	Psychiatry	UVMHC	6/1/21	MD
Alsher, Robin MD	Internal Medicine	UVMHC	6/1/21	MD
**Boles, Brittney MD	Pathology	UVMHC	6/1/21	MD
Delzer, Mackenzie MD	OB/GYN	UVMHC	6/1/21	MD
Frolking, Zoe MD	Pediatrics	DHMC	6/1/21	MD
**Indig, Gnendy MD	OB/GYN	UVMHC	6/1/21	MD
Sharma, Deepak MD	Internal Medicine	UVMHC	6/1/21	MD
Singh, Rohit MD	Hem/Onc	UVMHC	6/1/21	MD
Steinberger, Tristan MD	Pain Medicine	UVMHC	6/1/21	MD
**Walsh, Thomas MD	Pediatrics	DHMC	6/1/21	MD
Yoon, Michael MD	Psychiatry	UVMHC	6/1/21	MD
Zhao, Emma MD	Psychiatry	UVMHC	6/1/21	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.

June 2, 2021

Credential Number	Name
<u>042.0015334-COMP</u>	James Alan Dennington
<u>042.0015335-COMP</u>	David Francis Flynn
<u>042.0015336-COMP</u>	Nicolaus Joseph Kuehn
<u>042.0015337-COMP</u>	Luis Alberto Mojicar
<u>042.0015338-COMP</u>	Denis Primakov
<u>042.0015339-COMP</u>	Julia Christine West
<u>042.0015340-COMP</u>	Justin D Pearlman
<u>042.0015354-COMP</u>	Neil Grahame Brown
<u>042.0015355-COMP</u>	Eric Miller
<u>042.0015356-COMP</u>	Rebecca Sweeney