STATE OF VERMONT
BOARD OF MEDICAL PRACTICE

In re: Karen Preis, M.D.	)	Docket Nos. MPS 135-1108
	)	MPS 46-0409
	)	MPS 42-0410
	)	MPS 55-0610

STIPULATION & CONSENT ORDER

NOW COMES, the State of Vermont, by and through Attorney General William H. Sorrell and undersigned Assistant Attorney General, Terry Lovelace, and states as follows.

1. Karen Preis, M.D., (hereafter "Respondent") holds license No. 042-0004451, issued by the Vermont Board of Medical Practice but currently suspended for non-payment of Vermont taxes[1].

2. Respondent practices child and adolescent psychiatry in her office in South Burlington, Vermont.

3. Jurisdiction in these matters vests with the Vermont Board of Medical Practice pursuant to Vermont law, 26 V.S.A. §§ 1353, 1354, 1361 & 1398 and 3 V.S.A. §§ 129, 129a, 809 & 814(c).

4. Respondent currently has four open matters before the Vermont Board of Medical Practice as cited in the caption above. Specification of Charges were filed with the Vermont Board of Medical Practice on June 10, 2010, and served on Respondent by Board Investigator Paula Nenninger.

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

I. BACKGROUND

5. Petitioner filed its Specification of Charges alleging unprofessional conduct contrary to Vermont law[2]. Specific allegations against Respondent included patient abandonment and failure to provide medical records when properly requested.

6. Pursuant to notice acknowledged by Respondent, a hearing date of December 13th and 14th was set by the Vermont Board of Medical Practice to resolve and close the pending matters before it - *See Affidavit of Board Investigator Paula Nenninger attached hereto.*

7. On December 1, 2010 Respondent contacted Assistant Attorney General Terry Lovelace by telephone and expressed her desire to settle these matters without the time, expense and uncertainty of a contested hearing.

8. Respondent acknowledges that she was encouraged to obtain legal advice and counsel regarding this matter. Respondent agrees and understands that by executing this document she is waiving such rights as she may possess to challenge jurisdiction and to have a contested public hearing.

9. Citing health concerns, Respondent voluntarily and knowingly agrees to the terms and conditions contained herein.

II. TERMS OF CESSATION OF PRACTICE

10. The parties agree that upon the execution of this agreement, Respondent shall voluntarily and immediately desist from the practice of medicine.

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

[1] See 32 V.S.A. Section 3113(f).
[2] See 26 V.S.A. Section 1354(4) (25) (27)

11. Respondent agrees that she will not file to renew her Vermont medical license which became due on November 30, 2010, allowing her license to lapse. Likewise, Respondent will not seek licensure in any other jurisdiction regardless of the circumstances or the passage of time.

12. Respondent acknowledges her duty to advise her patients that she has permanently ceased the practice of medicine and refer those patients to their primary care providers. Respondent promises to continue cooperation with Board investigators, the South Investigative Committee and the Board of Medical Practice throughout the process of closing her practice. Respondent promises to use her best efforts to ensure continuity of care for all patients and if possible, to timely provide medical records upon written request.

13. Respondent acknowledges that by signing this agreement, she may no longer hold herself out as a physician, doctor or M.D. to individuals or to the community at large.

14. Respondent agrees and fully understands that she is executing this document in lieu of any proceedings, findings, and order by the Board of Medical Practice, pursuant to 3 V.S.A. § 814(c). Respondent acknowledges that the unlicensed practice of medicine is unlawful[3] in Vermont and such conduct may be prosecuted as a criminal matter.

15. Respondent recognizes the Board's obligation in all cases to investigate as required and to act expeditiously to protect the public health, safety, and welfare.

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

[3] See 26 V.S.A. Section 1314 which provides for fine and/or imprisonment. Also see State vs. Lindsay (1912) 86 Vt. 201.

16. Respondent makes no statement or admission here other than to assure her continued cooperation with the Board and to cease practice. Respondent acknowledges that no promises or threats have been made to induce her to settle these matters.

III. EXPRESS PROVIVIONS

17. Effective immediately Respondent shall cease and desist from any and all practices of medicine in any form whatsoever, including diagnosis, treatment, or prescribing medication in any fashion. Upon entry of this agreement, Respondent agrees to voluntarily surrender her DEA license immediately.

IV. GENERAL PROVISIONS

18. This Stipulation and Consent Order is conditioned upon its acceptance by the Vermont Board of Medical Practice. If the Board rejects any part of this document, the entire agreement shall be considered void. If approved by the Board, Respondent agrees to be bound by the terms and conditions of this agreement.

19. Respondent's failure to abide by any condition or term of this agreement may constitute unprofessional conduct under 26 V.S.A. Section 1354(25) and/or a criminal offense. Such a failure could subject Respondent to disciplinary actions as the Board might deem appropriate and/or referral to the Criminal Division of the Vermont Attorney General.

20. The parties further agree that nothing contained herein shall limit the Board's authority to proceed in this matter to enforce the terms and

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

conditions herein, if deemed appropriate at a later date, pursuant to 26 V.S.A. §§ 1354, 1360, 1361 & 1398; 3 V.S.A. § 814(c); and other relevant authorities.

21. Respondent voluntarily and knowingly waives her right (a) to a prompt hearing on the merits regarding these charges, pursuant to 26 V.S.A. §§ 1354, 1360, 1361 & 1398; 3 V.S.A. § 814(c), (b) to contest any charges against her, to file motions and pleadings, pursue discovery, present evidence or witnesses on her behalf and cross examine witnesses, and (c) to require proof as to any allegations against her in a hearing before the Board.

22. The parties agree that the Board may enter an order adopting and implementing this agreement. Respondent expressly does not contest entry of this agreement as a Board order.

23. This Stipulation and Consent Order for cessation of the practice of medicine is conditioned upon its acceptance by the Vermont Board of Medical Practice. If the Board rejects any part of this document, the entire agreement shall be considered void. If approved by the Board, Respondent agrees to be bound by the terms and conditions of this agreement pending further proceedings, actions or order of the Board of Medical Practice. Respondent agrees that the Board of Medical Practice shall retain jurisdiction to enforce the terms and conditions of this agreement until it is modified or she is relieved of its terms and conditions. Respondent agrees that any failure by her to abide by any of the terms and conditions of this agreement may constitute unprofessional conduct under 26 V.S.A. § 1354(25) and could subject Respondent to such disciplinary action as the Board might deem appropriate.

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

24. The parties therefore jointly agree that should the terms and conditions of this agreement be deemed acceptable by the Board of Medical Practice, the Board may adopt and enter the agreement as an enforceable order as described herein.

25. The parties agree that this agreement does not constitute a bar to other action by the Board at a later date relative to her Vermont medical license. The parties agree that this agreement shall be made part of Respondent's licensing file.

26. Respondent agrees that the Board of Medical Practice shall retain jurisdiction in these matters and may enforce as necessary the terms and conditions herein, pursuant to 26 V.S.A. §1354(25)(27), or other relevant statutory authority.

Dated at Montpelier, Vermont, this 3rd day of December 2010.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

by: _____
Terry Lovelace
Assistant Attorney General

Dated at Montpelier, Vermont, this 3rd day of December 2010.

Karen Preis
Karen Preis,
Respondent Pro Se

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

STATE OF VERMONT
BOARD OF MEDICAL PRACTICE

In re: Karen Preis, MD Physician License 042-0004451	))))	Docket No. MPS 42-0410 MPS 46-0409 MPS 135-1108 MPS 55-0610

AFFIDAVIT OF INV. PAULA NENNINGER

COMES NOW Affiant, Paula Nenninger, Investigator, Vermont Board of Medical Practice, and being duly sworn and on oath, under penalties of perjury, does depose and state that I have reasonable grounds to believe that Karen Preis, DOB [redacted] has violated VT Title 26 VSA 1354 (a)(1) fraudulent or deceptive procuring or use of a license, (4) abandonment of patient; (7) conduct which evidences unfitness to practice medicine; (10) failure to make available promptly to a person using professional health care services, that person's representative, succeeding health care professionals or institutions, when given proper written request and direction of the person using professional health care services, copies of that person's records in the possession or under the control of the licensed practitioner; (25) failure to comply with an order of the board or violation of any term or condition of a license which is restricted or conditioned by the board; (27) failure to comply with provisions of federal or state statutes or rules governing the practice of medicine or surgery; (b) (2) failure to conform to the essential standards of acceptable and prevailing practice.

1. I am an investigator for the Vermont Board of Medical Practice. In my role I am responsible for gathering information, evidence, and testimony regarding complaints and allegations against practitioners in the field of medicine who may have engaged in unprofessional conduct. I am certified as a full-time law enforcement officer by the Vermont Criminal Justice Training Council.

2. In November 2008 I was assigned a case involving Karen Preis, M.D. Dr. Preis holds Vermont Medical License Number 042-0004451, which was originally issued on October 22, 1971. On April 11, 1995 Dr. Preis' license was stipulated due to her repeated failure to provide patients with requested records. The Board took disciplinary action in the form of a public reprimand and conditions on her License (See attachment #1). Since February 18, 2010 Dr. Preis holds an unrestricted Medical License in Vermont.

Case #1, MPS 135-1108

3. This case was initiated on November 26, 2008 by a report from the Department of Taxes that Dr. Preis was not in good standing with respect to her Vermont taxes. The Department of Taxes revealed that Dr. Preis had not filed her taxes for the years 2006 or 2007. According to the Department of Taxes, Dr. Preis was not in good standing with respect to Vermont taxes from October 15, 2007 up to the date of the notification (November, 26, 2008). The Department of Taxes advised me in a letter dated April 15, 2009, that if Dr. Preis certified to the Board that she was in good standing with respect to taxes (as is required by 32 VSA 3113) at any time since October 15, 2007, she was incorrect or untruthful. The Department of Taxes requested that the Board initiate proceedings to suspend or revoke Dr. Preis' license.

4. On her 2008 Physician's License Renewal Application, Dr. Preis certified by her signature on November 25, 2008, that she was in good standing with the Department of Taxes. By certifying that she was in good standing, Dr. Preis provided an answer to the Board that was "not true and accurate; and/or provided materially false information; and/or omitted material information and therefore fraudulently or deceptively procured a medical license from the Board of Medical Practice." Such conduct is contrary to Vermont law under 26 VSA 1354 (a)(1), and meets the statutory definition of "unprofessional conduct."

5. On December 4, 2008 The Board received a response from Dr. Preis stating "I have not received any telephone call, fax or letter from the Tax Dept. that would indicate that I was not in good standing." On June 1, 2010 I spoke with Ms. Gloria Perry from the Department of Taxes, who advised me that Dr. Preis was sent written notice from the Department of Taxes that she had not filed taxes.

6. On December 23, 2008 Board Director William Wargo wrote to Dr. Preis and urged her to immediately resolve her outstanding matters with the Department of Taxes and obtain a certificate of good standing from them. Director Wargo provided Dr. Preis with the contact name and phone number to follow-up with the Department of Taxes (See attachment #2).

7. On May 21, 2009 AAG James Arisman wrote to Dr. Preis and urged her to obtain support and advice regarding her tax matter. AAG Arisman offered his assistance to Dr. Preis "to see if it might be possible to avoid a suspension hearing", and encouraged her to contact him or the Department of Taxes (See attachment #3).

8. On June 2, 2009 Brenda Vovakes, Director of Tax Compliance provided an addidavit for the planned June 3, 2009 hearing to suspend or revoke Dr. Preis' license.

Ms. Vovakes advised that Dr. Preis was not in compliance with her obligation to file and pay personal income taxes, and had failed to file person income tax returns for the years 2006, 2007 and 2008, as required by law. Ms. Vovakes also stated that in December 2008 the Department of Taxes sent Dr. Preis a letter seeking to obtain the missing tax returns, and Dr. Preis had failed to respond to the Department's letter (See attachment #4).

9. On June 3, 2009 The Vermont Board of Medical Practice suspended Dr. Preis' license for failure to file tax returns for calendar years 2006, 2007 and 2008. On June 30, 2009 the Department of Taxes advised the Board that Dr. Preis had made acceptable payment arrangements with the Department of Taxes and was again in compliance. On July 1, 2009 Dr. Preis' license was reinstated

10. On September 23, 2009 the Department of Taxes notified the Board that Dr. Preis was again not in good standing as to her tax obligations. Specifically, she failed to comply with the written agreement signed on June 30, 2009, when she failed to pay her arrearage as promised, and failed to file her 2009 personal income tax return. The Department of Taxes advised the Board that they made multiple attempts to work with Dr. Preis to bring her into compliance without success.

11. On November 4, 2009 The Vermont Board of Medical Practice suspended Dr. Preis' license for failure to remain in good standing with the Department of Taxes contrary to Vermont law. The Board was concerned with Dr. Preis' repeated failures to comply with the law regarding payment of her taxes and about her failure to respond to multiple communications from the Department of Taxes, the Attorney General's Office, and the Board (See attachment #5).

12. On November 5, 2009 I went to Dr. Preis' office in South Burlington to notify her of the Board imposed suspension. I explained to her that that she received a notice by mail from the Board to notify her about the hearing. I also explained that she would have had an opportunity to speak to the Board at the hearing. Dr. Preis told me that she has "not been opening any mail from The Board of Medical Practice." I reminded her about our conversation in her office back in September, when I personally advised her of the Board hearing set for November. She explained that she had "too much going on" to address this issue and has been having medical problems with her heart.

13. Dr. Preis told me that she had worked too hard to "do this again" and that she was "going to keep practicing." I advised her that it would be a criminal act to practice medicine without a license, and that she could be charged. She asked me if I was going to arrest her, and I said it would depend on her behavior. Dr. Preis initially told me that I was going to need to arrest her because she was "not going to stop seeing patients."

14. I went over the suspension with her several times and explained that she could no longer practice medicine, meaning she could no longer see any patients or prescribe for any patients. She told me she had a full schedule for the day and I suggested she start calling them, and or post a sign on her door that her office was closed.

15. When Dr. Preis told me that she was not going to tell her patients that she was suspended, I advised her that it was public and would be posted on our web page.

16. Initially Dr. Preis was upset and very resistant but after about 30 min. of talking to me she seemed to acknowledge the facts of the suspension. I also gave her information about VPHP (Vermont Practitioner Health Program) and advised her that the program was for physicians who needed or wanted to talk with someone. Dr. Preis told me "I'm not going to kill myself if that's what you're thinking", to which I replied "that's good."

17. I requested Dr. Preis turn over her physical medical license but she told me she did not know where it was. She went into her locked office that was in complete disarray with paperwork piled everywhere. After some time, she told me that the license might be at home.

18. When I was leaving I stated once more that she was no longer licensed and could not see any patients until she resolved this mater with the Board of Medical Practice. I gave Dr. Preis a copy of the order and suggested she read it. Although she was noticeably upset, I believe she understood what I was saying.

19. On February 18, 2010 the Tax Department advised the Board that Dr. Preis was in compliance and back in good standing again and her license was reinstated.

20. In review of this case I located historical reports concerning Dr. Preis' practice from Investigator Philip Ciotti. The reports demonstrated a longstanding history of tax problems.

21. On January 7, 1999 a Board Investigator found Dr. Preis' office open, although she had not renewed her license. The investigator stated that that when asked, Dr. Preis did not deny practicing during December and January without a license. The investigator advised Dr. Preis that the matter would be referred to the Attorney's General Office, and Dr. Preis gave her word that she would not practice until she obtained a license. On January 8, 1999 Dr. Preis wrote a letter of explanation to the Board and in it described her tax difficulties. On February 9, 1999 Dr. Preis was in good standing with the Department of Taxes, and her license was then renewed on February 10, 1999.

22. Additional history revealed that in 2006 Dr. Preis did not submit her license renewal on time. On December 5, 2006 Dr. Preis advised the board that she knew her license had lapsed and that she admitted she was behind in her taxes and paperwork. On

December 11, 2006 Dr. Preis brought her renewal license into the board office. Within her license renewal Dr. Preis indicated that she was not in good standing as to her taxes. Investigator Ciotti called Brenda Vovakes, Director of Compliance of the Department of Taxes, and asked her how the board should proceed in regards to Dr. Preis not being in good standing. Ms. Vovakes asked that the board not renew her license. Ms. Vovakes advised that the Hardship Waiver was not a critical piece in this case since Dr. Preis had not filed her taxes for several years (2002, 2003, 2004, and 2005), and Waivers deal only with a taxpayer's inability to pay taxes due, not the failure to file tax returns . On January 23, 2007 the Department of Taxes reported Dr. Preis was back in good standing, and her license was reissued.

Case #2, MPS 46-0409

23. On April 22, 2009 the Board received a new complaint from patient [redacted] regarding Dr. Preis. [redacted] stated that he had been seeing Dr. Preis for about five years. He states that he had an appointment that needed to be rescheduled; he called and left a message with Dr. Preis, asking for a different day. [redacted] states that he was "surprised" that he did not hear back from Dr. Preis, and assumed there had been a communication error, so he called her two more times requesting a new appointment. [redacted] states that after a couple of weeks, he still had not heard back from Dr. Preis, so he left several more messages asking Dr. Preis to contact him. [redacted] stated that at least a year had passed and he still has not received any explanation or communication from Dr. Preis. On November 19, 2009 I spoke to [redacted] who requested the Boards help to obtain copies of his records.

24. On June 8, 2010 I spoke with Nancy Judd, a psychotherapist who also treated [redacted] Ms. Judd advised me that she started working with [redacted] in September of 2006, and called Dr. Preis "several times" requesting [redacted] records. Ms. Judd stated that Dr. Preis "never returned my calls." Ms. Judd told me that [redacted] records "would have been useful in his treatment", and she was disappointed that Dr. Preis never returned her phone calls. Ms. Judd said she has documentation in [redacted] chart that she left a message for Dr. Preis in October 2006, and another one in March 2007. Ms. Judd advised me that she never received a return call from Dr. Preis.

25. On April 22. 2009 I sent an "opening letter" to Dr. Preis, asking her to respond to the complaint and provide a copy of any patient records for [redacted]

26. On June 5, 2009 I was at Dr. Preis' office on another mater, and reminded her that we were waiting for a response in this case. Dr. Preis said she knew she had to respond and, "it was in a pile of things to do."

27. On June 24, 2009 I left two voice mail messages (one at work and one on her cell phone) for Dr. Preis, asking her where her response was to MPS 46-0409 and advising her to turn it in ASAP. I also left my phone number and suggested she call me if there was a problem responding to the complaint.

28. On July 1, 2009 I spoke with Dr. Preis on the telephone and reminded her to respond to this complaint, because it can not move forward until she sends in a response. Dr. Preis indicated to me that she understood what I was talking about and said that she would respond.

29. On July 15, 2009 I sent a copy of the opening letter (2nd written notice) to Dr. Preis, because she had not yet responded.

30. On September 23, 2009 Investigator Philip Ciotti personally served a subpoena on Dr. Preis requiring that she appear in person before the South Investigative Committee at 2:00pm on October 21, 2009. The subpoena specifically advised Dr. Preis to bring her complete file and all other written or recorded information in her possession regarding the complainant including intake materials, notes, calendars, records, etc.

31. On October 21, 2009 AAG Arisman advised me at the South Committee meeting that Dr. Preis left him a voice mail received on October 20, 2009 stating she was not going to attend the South Investigative Committee meeting (See attachment #6). AAG Arisman further advised me that he had not relieved her of her duty to appear before the South Investigative Committee. Despite more than adequate notice Dr. Preis failed to comply with the subpoena that was served on her.

32. On February 16, 2010 Dr. Preis faxed a written response to the Board office, but did not include any patient records (only bills and two "To Whom It May Concern" letters supporting the patient's eligibility for treatment). On March 25, 2010 I went to Dr. Preis' office and reminded her that we were still waiting for the patient records. Dr. Preis told me that she has "not had time to find them yet." On March 26, 2010 I sent a written notice to Dr. Preis reminding her of our conversation on March 25, 2010 and our demand for patient [redacted] medical records.

33. On April 28, 2010 I went to Dr. Preis' office to discuss a few issues, including this case. When I asked Dr. Preis when the records would be ready for this case, Dr. Preis told me "I have to find the notes; I must try and not lose my house first." When I asked her what kind of time line she was looking at, she told me that she would know about her house within a month, and it would take "a couple more weeks before I could get you the notes." I suggested to Dr. Preis that she work on getting these notes in order

and getting them to the Board, because the case could not be resolved without the South Committee reviewing them. Dr. Preis told me her house is her first priority, because if she loses her house, she will not have anywhere to live.

34. On May 21, 2010 I served a subpoena on Dr. Preis, specifically requesting the patient records for [redacted] Dr. Preis told me "I still needs to deal with my mortgage and have not worked on getting this chart ready" for the South Committee. I asked her if the chart was just waiting to be copied, and she told me that the chart is at home and she has not found all of her notes yet. She also described a phone log, that she has patient notes written in that have not been transferred over to the patient chart. Dr. Preis told me that she is starting with her 2010 phone log and working backward to enter the notes, so she has not started the 2009 (or earlier) phone logs. The South Committee has waited for patient records for more than 13 months at this point with no results.

35. As evidenced by numerous Board of Medical Practice records, Dr. Preis has a chronic and longstanding pattern of poor and inadequate record-keeping and record-sharing reaching back over 15 years and still continuing. For example, on April 11, 1995, Dr. Preis was publicly reprimanded and her license conditioned due to her constant failure to provide patients with requested records in timely fashion. The public Stipulation and Consent Order (Attachment #1) noted that a similar complaint had been filed approximately three years earlier (Paragraphs 3 and 4) but that the Board had decided not to take action at that time. Dr. Preis did not heed the Board's earlier concern and warning. Still another complaint in 1994 led to the Stipulation and Consent Order which underscored Dr. Preis' "repeated failure to provide her patients with requested psychiatric records which they are entitled to in a timely fashion." (Paragraph 9) The Order also emphasized that Dr. Preis' behavior fell "below the degree of care, skill, and

proficiency which is commonly exercised by the ordinary skillful, careful, and prudent physician engaged in similar practice under the same or similar conditions." (Paragraph 9). Despite the Board's previous actions, Dr. Preis has not changed.

Case #3, MPS 42-0410

36. On April 16, 2010 the Board received a new complaint from Ms. Eva Kauppila, Master of Social Work (MSW) at Champlain Elementary School in Burlington regarding Dr. Preis. Ms. Kauppila stated that she attended a meeting at Champlain School on January 26, 2010 in order to collaborate with other providers to support a family. Ms. Kauppila stated the main purpose of the meeting was to identify the needs of a family, investigate possible referrals, and delegate responsibilities among the team. Ms. Kauppila was greatly concerned that Dr. Preis attended the school meeting offering treatment recommendations and appeared to be actively practicing medicine without a license (at the time of the school meeting Dr. Preis' license was suspended due to tax issues).

37. On May 3, 2010 Investigator Ciotti and I interviewed Ms. Kauppila to gather further information about the complaint. Ms. Kauppila told me that she met Dr. Preis for the first time at the January 26th school meeting. She said Dr. Pries introduced herself as a doctor and made it very clear that she (Dr. Preis) was a doctor. Ms. Kauppila said Dr. Preis did a lot of the talking, but that it was not necessarily relevant to the meeting (Dr. Preis spoke about psychiatric theory, Freud and other historical doctors). Ms. Kauppila also stated that Dr. Preis had an "unkempt appearance, was smelly, had stringy hair, and seemed as though she had not bathed in quite some time."

38. Ms. Kauppila said it was not until the end of the meeting that Dr. Preis disclosed to those still present that she did not currently have a medical license, because of a tax mater. Ms. Kauppila said she thought it was "weird" that Dr. Preis would even attend the meeting and discuss family medical issues if she was not properly licensed to practice medicine.

39. Ms. Kauppila went on to say that Dr. Preis gave her an "uncomfortable vibe, and acted bizarre within the setting of the meeting." Ms. Kauppila said she became frustrated with Dr. Preis' inability to stay on-topic. The meeting was intended to be narrowly focused on family medical issues. Dr. Preis nonetheless would "go off on unrelated tangents of all kinds during the meeting."

40. At the meeting Dr. Preis spoke about past and present medication, diagnosis and trauma within the family. Ms. Kauppila also said Dr. Preis gave medical advice and treatment recommendations regarding the child to the attendees.

41. Ms. Kauppila told me that she was surprised Dr. Preis was even at the meeting and was not sure if anyone had invited her. She said the meeting was put together by an e-mail group of providers but Dr. Preis' name was not on the list.

42. Ms. Kauppila said that her training and experience as an M.S.W. has taught her that you must have clear boundaries with clients and she believes, based on her observations, that Dr. Preis exercised unsafe boundaries with this particular family (specifically 'mom'-[redacted]

43. On April 26, 2010 I left a message for Dr. Preis to call me in order to set up an interview. On April 27, 2010 I received a voice mail from Dr. Preis asking me not to leave her messages on her cell phone, because it was for "emergency use" and because "it is unreliable."

44. On April 28, 2010 I met with Dr. Preis at her office regarding this case. Dr. Preis admitted that she went to one school meeting while her license was suspended. Dr. Preis said she told everyone at the meeting that her license was suspended due to a tax problem. When I asked her when she told the other participants of the meeting about the status of her license, she said "I believe I brought it right up, that I had no license." Dr. Preis said she was at the meeting to "arrange care for the family."

45. Dr. Preis further described her presence at the meeting as "a facilitator for the care of the family" and to give background information on the family. She told me the purpose of the meeting was to plan support for the family and she was the only person who could give the medical background. Dr. Preis said the school meeting was in regards to two children [redacted] & her sibling), and their mother [redacted] Dr. Preis treats all three family members within her practice.

46. Dr. Preis told me that she was "sharing information" at the school meeting, and not treating her patients.

47. When I asked Dr. Preis if she would have provided the same information in the meeting if she had been licensed, she told me "yes."

48. When I asked Dr. Preis if she offered phone consults or support to her patients while she was suspended she said when patients called she would refer them to their primary doctor. In this specific case Dr. Preis admitted that the child's mom [redacted] who was also a patient) would call often and leave messages, asking Dr. Preis to return her call. Dr. Preis told me that she would call her back and listen, "so she would not feel abandoned." Dr. Preis said [redacted] would tell her what was going on, and Dr. Preis would say things such as "you really are good, you can get through this, and I will get my license back."

49. When I asked Dr. Preis if she kept notes on the phone calls with [redacted] she said she put notes in her "call notebook." She described her call notebook as a log that she keeps to track all phone calls with patients. She further advised that she has call notebooks going back to when she started her practice. I asked her if the notes were transferred into the patient charts and she told me that they would be "eventually."

50. Dr. Preis told me that it was during one of these phone calls with [redacted] told her about the school meeting and Dr. Preis decided she wanted to go. Dr. Preis told me that she was not invited by any of the providers or by [redacted]

51. At the end of the interview (on April 28, 2010), I served a subpoena on Dr. Preis for the records of one of the children [redacted]

52. On May 21, 2010 Investigator Ciotti and I spoke with Dr. Preis at her office. I followed-up on a subpoena that I had served on April 28, 2010 for the records of patient [redacted] Dr. Preis advised she was "still working on records" and has, "more notes to type in." I emphasized the meaning and importance of a legal subpoena, and Dr. Preis told me that it's "a high priority" for her.

53. I asked Dr. Preis where her written response was for this case (MPS 42-0410), and she told me that she would try to get it to me in a week. I reminded her that the response was overdue and that the South Committee was waiting for it.

54. During my interview I also asked Dr. Preis about a prescription that I obtained from Kinney Drugs in Middlebury, dated November 10, 2009 (during the time her license was suspended). The prescription was for Adderall (Schedule II controlled substance) and was signed by Dr. Preis. Dr. Preis told me that she is "allowed to write prescriptions ahead of time", and that is what she did. Dr. Preis did not have the patient chart in her

office and was unable to verify the information. I served a subpoena for the records of this patient [redacted]

55. According to the Drug Enforcement Administration Code of Federal Regulations (CFR 1306.05) all prescriptions for controlled substances shall be dated as of, and signed on, the day when they are issued. Under CFR 1306.12 a practitioner may issue multiple prescriptions for Schedule II drugs on the same date (up to a 90 days supply) if each prescription has appropriate instructions on the prescription about when to refill, for example, "Do not fill until _____" across the bottom.

Case #4, MPS 55-0610

56. On June 9, 2010 the Board received a new complaint from [redacted] a former patient of Dr. Preis. On May 7, 2010 [redacted] had reported to me that Dr. Preis failed to return her phone calls and provide a copy of her medical records. [redacted] told me "I left message after message, I can't tell you how many times I have called her and Dr. Preis has never returned my calls." [redacted] told me that around the second time Dr. Preis was suspended (on 11/05/09) she submitted a handwritten request for her records, but never heard back from Dr. Preis. [redacted] requested the Board's help to obtain a copy of her record.

57. On May 21, 2010 Investigator Ciotti and I met with Dr. Preis. When asked, Dr. Preis admitted that she has not returned [redacted] phone calls for over a month. When I asked her why she hasn't returned the calls she stated, "I don't have time." Dr. Pries said "she is on my list of call backs, but it is not a high priority." Dr. Preis told me "when your dealing with thirty messages you just can't get to all of them." At the end of the interview I served a subpoena for the records of [redacted] As of the date of this document, Dr. Preis has not responded to any of the four subpoenas served on her.

Dated in Burlington this 10 day of June, 2010.

Affiant
Paula Nenninger
Investigator
Vermont Board of Medical Practice

At Burlington, this 10th day of June, 2010, personally appeared before me Paula Nenninger, and made oath to (affirmed under penalty of perjury) the truth of the foregoing.

Before me:
Notary Public

My commission expires: February 7th to 2011

STATE OF VERMONT
BOARD OF MEDICAL PRACTICE

IN RE: KAREN PREIS, M.D.	)))	Docket No. MPS38-0494

STIPULATION AND CONSENT ORDER

NOW COMES Karen Preis, M.D., Respondent in the above-captioned matter, and the State of Vermont, by and through Linda A. Purdy, Assistant Attorney General, and agree and stipulate to the following facts, conditions and disposition in this matter:

1. Karen Preis, M.D. (Respondent), holds License Number 42-0004451 issued by the Vermont Board of Medical Practice (Board) which license is subject to disciplinary action under 26 V.S.A. Chapter 23.

2. Respondent waives service of a formal specification of charges, see 26 V.S.A. §1356, and waives her right to a formal hearing before the Board of Medical Practice (Board), waives her right to cross-examine witnesses with respect to this matter, and voluntarily enters into this Stipulation and Consent Order. See 26 V.S.A. §1357.

3. On January 6, 1992, a complaint was filed with the Vermont Board of Medical Practice for Respondent's failure to provide written documentation of a psychiatric evaluation of a patient in Respondent's care after repeated requests by the

Office of the
ATTORNEY
GENERAL
Montpelier,
Vermont 05609

Attachment 1

patient's parents to do so over a twelve month period. (See MPS01-0192).

4. On July 9, 1992, a letter was sent to Respondent by the Vermont Board of Medical Practice indicating that "...after a thorough investigation of Complaint MPS01-0192, the Board has decided not to take action **at this time...**" (emphasis added).

5. On March 27, 1994 another similar complaint was filed with the Vermont Board of Medical Practice in that Respondent had failed to provide a psychiatric evaluation of a patient in Respondent's care despite repeated requests by the patient's parents to do so over a two month period of time. (See MPS38-0494). MPS 46-0409

6. On November 16, 1994, Respondent appeared before the South Investigative Committee and was ordered to produce the report which was the subject of the March 27, 1994, complaint to the Board within 30 days.

7. On December 23, 1994, a letter was received by the South Investigative Committee from Ann Foley, Respondent's Office Manager, that said report was completed by Dr. Preis, and would be typed and sent the week of January 2, 1995.

8. To date, the South Investigative Committee has not received this report or any further communication regarding Respondent's compliance with the request made at the November 16, 1994 meeting.

9. Respondent's repeated failure to provide her

Office of the
ATTORNEY
GENERAL
Montpelier,
ermont 05609

patients with requested psychiatric records which they are entitled to in a timely fashion falls below the degree of care, skill, and proficiency which is commonly exercised by the ordinary skillful, careful, and prudent physician engaged in similar practice under the same or similar conditions pursuant to 26 V.S.A. §1354(22).

10. The parties agree that appropriate disciplinary action against Respondent would consist of a public REPRIMAND as based upon the above-described unprofessional conduct. See 3 V.S.A. §129(4).

11. The parties agree that this Stipulation and Consent Order imposes the following conditions on Respondent's license and that these conditions are fair and reasonable given the above circumstances.

a. Respondent shall file the written report which is the subject of the March 27, 1994 complaint with the Medical Board within fourteen (14) days from the time the Board approves this Stipulation.

b. If the Board receives any further complaints of a similar nature the Board will impose more serious conditions or sanctions.

12. The parties agree that, upon acceptance of this Stipulation by the Board of Medical Practice, this Stipulation and Order shall be a public document and may be reported to other licensing authorities.

Office of the
ATTORNEY
GENERAL
Montpelier,
ermont 05609

13. Any failure to comply with any of the terms of this Stipulation and Order may constitute unprofessional conduct pursuant to 26 V.S.A. §1354(25) and may subject Respondent's license to summary suspension, revocation, additional conditions, or such other sanction as the Board may determine necessary.

14. This Stipulation and Consent Order is conditioned on acceptance by the Board. If the Board rejects any part of this Stipulation and Consent Order, the entire agreement shall be considered void.

15. Respondent may petition the Board for the removal of license conditions after a period of two years from the Date of the ORDER in this matter, otherwise, the ORDER will remain in effect. Such petition shall be in a manner and form approved by the Board, and shall include such information and evaluations as may be required by the Board at that time.

Dated: March 9, 1995

STATE OF VERMONT

JEFFREY L. AMESTOY
ATTORNEY GENERAL

by: _____
LINDA A. PURDY
Assistant Attorney General

Office of the
ATTORNEY
GENERAL
Montpelier,
Vermont 05609

Dated: April 11, 1995

Received 4/5/95

by: Karen Preis, MD
Karen Preis, M.D.

VERMONT

Department of Health
Board of Medical Practice
108 Cherry Street - PO Box 70
Burlington, VT 05402-0070
healthvermont.gov

[phone] 802-657-4220
[toll free] 802-745-7371
[fax] 802-657-4227

Agency of Human Services

December 23, 2008

Karen Preis, MD
36 Timber Lane
South Burlington, VT 05403

Dear Dr. Preis:

With a new year fast approaching, I am writing to you with the sincere hope that you will immediately resolve your difficulty with the Vermont Tax Department and continue to practice medicine in Vermont. Our understanding is that you have been deemed out of compliance because you have not filed tax returns for a couple of years.

Enclosed is a copy of Vermont's law pertaining to tax liability and the issuance of licenses. As you will note, § 3113(f) states that "Upon written request by the [Tax Commissioner] and after notice and hearing to the licensee as required under any applicable provision of law, an agency shall revoke or suspend any license or other authority to conduct a trade or business (including a license to practice a profession) issued to any person if the agency finds that taxes administered by the commissioner have not been paid and that the taxpayer's liability for such taxes is not under appeal."

Because I do not want the Board to get to the stage of suspending or revoking your license, I urge you to immediately contact Judy Lambert of the Tax Department at (802)828-2821 in order to obtain a certificate of good standing. Please send us the certificate as soon as you receive it.

If you have any questions, please do not hesitate to contact me.

Thank you for your cooperation, and best holiday greetings.

Sincerely,

William E. Wargo, Director

ENC

Attachment 2

WILLIAM H. SORRELL
ATTORNEY GENERAL
JANET C. MURNANE
DEPUTY ATTORNEY GENERAL
WILLIAM E. GRIFFIN
CHIEF ASST. ATTORNEY GENERAL

TEL: (802) 828-3171
FAX: (802) 828-2154
TTY: (802) 828-3665
CIVIL RIGHTS: (802) 828-3657

http://www.atg.state.vt.us

STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001

May 21, 2009

MAY 26 2009

Karen Preis, M.D.
36 Timber Lane
South Burlington, Vermont 05403

Dear Dr. Preis:

I am writing to you at the request of the South Investigative Committee of the Board of Medical Practice. The Committee is aware of your current tax situation and the charges that the State has filed with the Board.

The South Investigative Committee asked that I contact you and urge you to communicate with a colleague, friend, or trusted advisor to obtain support and advice regarding your tax matters. The Committee also asked that I attempt to speak with you and offer my assistance to you to see if it might be possible to avoid a suspension hearing. Of course, I would be happy to try to help you in any way I can.

I spoke today with Assistant Attorney General Will Baker. He indicated that the Tax Department has a very helpful Taxpayer Services Division that provides advice and works directly with taxpayers in a positive effort to resolve complicated or seemingly overwhelming tax problems. AAG Baker and I would both be happy to communicate with the Taxpayer Services Division, make an introduction, and assist you in arranging a meeting to get the ball rolling.

I am very concerned about your circumstances and well-being. Please call me at (802) 828-5620 so that we can talk. I believe that it ought to be possible to work toward a resolution that could relieve some of the pressures that you are currently contending with. Please call me as soon as possible. I look forward to hearing from you

Sincerely yours,

JAMES S. ARISMAN
Assistant Attorney General

cc: Harvey Reich, M.D., Chair, and South Investigative Committee Members, MPB
Paula Nenninger, Board Investigator, MPB

Attachment 3

VERMONT

STATE OF VERMONT
BOARD OF MEDICAL PRACTICE

In Re:
Karen Preis, M.D.) MPS 135-1108

AFFIDAVIT OF BRENDA VOVAKES

I, Brenda Vovakes, being duly sworn depose and say:

1. I am the Director of Compliance for the Vermont Department of Taxes. As Director of Compliance, I am responsible for supervising the collection of Vermont Taxes.

2. I am custodian of all Department of Taxes' files and records pertaining to delinquent tax accounts. Included within these files are individual income tax records pertaining to the delinquent taxes.

3. I have reviewed the Department files and records relating to the income tax liability of Karen Preis, M.D..

4. As of June 2, 2009, Dr. Preis is not in compliance with her obligation to file and pay personal income taxes as required by 32 V.S.A. §5861, 5871.

5. Dr. Preis has failed to file Vermont personal income tax returns for the years 2006, 2007 and 2008 as required by 32 V.S.A. § 5861.

6. For tax year 2006, Dr. Preis requested an extension of time to file her return until August 15, 2007, and accompanied this request with an extension payment of $500.00. This action demonstrated her acknowledgement that a return was required. However, she has failed to file the return or to make any additional payments towards any tax liability that may be owed on that return.

7. Dr. Preis is in violation if her obligation to make quarterly payments of non withheld taxes for tax years 2006, 2007 and 2008 as required by 32 V.S.A. § 5856.

Attachment 4

8. As a result of Dr. Preis' failure to file requisite tax returns for the years 2006, 2007 and 2008 and to pay the tax obligations owed on those returns, Dr. Preis is a person not in good standing with respect to taxes as that term is defined in 32 V.S.A. § 3113(f).

9. As a result of her failure to file requisite tax returns, there can be no showing of unreasonable hardship pursuant to 32 V.S.A. § 3113(g)(4). The hardship provision relates strictly to situations where an agency finds that immediate *payment* of taxes would constitute an unreasonable hardship. There is no hardship provision for the filing of tax returns.

10. In December, 2008, the Department contacted Dr. Preis by letter seeking to obtain the missing tax returns. These efforts have been unsuccessful and Dr. Preis has failed to respond to the Department's letters or to file the missing tax returns.

11. Dr. Preis has not been in good standing with respect to taxes since, at least, August 16, 2007 which was the date that the extension of time to file the 2006 tax return expired.

Dated this 2nd day of June, 2009, at Montpelier, County of Washington and State of Vermont.

Brenda Vovakes, Director of Tax Compliance

STATE OF VERMONT)
)SS
COUNTY OF WASHINGTON)

On the 2nd of June, 2009, appeared before me Brenda Vovakes who swore that the matters contained in the foregoing affidavit are true, and signed the same in my presence.

Before me: Tammie L. Beaudoin
Notary Public
My commission expires
February 10, 2011

STATE OF VERMONT
BOARD OF MEDICAL
PRACTICE

In re: Karen Preis, M.D.) **Docket No.: MPS 135-1108**

DECISION AND ORDER SUSPENDING LICENSE

This order responds to the State's Specification of Charges and Motion to Suspend or Revoke Medical License, dated September 28, 2009, in the above-captioned matter.

Procedural History

In response to charges brought by the State, by Order dated June 5, 2009, the Board of Medical Practice (the Board) suspended Respondent Karen Preis's license to practice medicine until such time as the Department of Taxes certified to the Board that it considered her in "good standing" with regard to her state income taxes. By letter dated June 30, 2009, the Department of Taxes notified the Board that Dr. Preis had returned to good standing, and on July 1, 2009, the Board issued an order reinstating her license.

On September 28, 2009, the State filed another Specification of Charges and Motion to Suspend or Revoke Medical License on the same grounds, alleging that Respondent was no longer in good standing with regard to her Vermont tax obligations. These Charges were personally served on Dr. Preis on September 29, 2009, and a hearing was noticed for November 4, 2009.

Appearances: Marjorie Power. Esq., served as Presiding Officer. Assistant Attorney General James S. Arisman appeared for the State of Vermont. Respondent did not appear, nor was there an appearance by counsel representing her.

The Board members hearing this matter are identified in the Board meeting minutes of November 4, 2009. The members of the Board's South Investigative Committee did not participate in this decision, and two other members of the Board recused themselves.

The Board has based its decision and order on the following Findings of Fact and Conclusions of Law.

Findings of Fact

1. The Findings of Fact in the Board's Decision and Order in this docket, dated June 5, 2009, are herein incorporated by reference.

2. On or about June 30, 2009, Dr. Preis filed her Vermont personal income tax returns for the years 2006 and 2007, which had not been previously filed as required by 32 V.S.A. §5861. These returns were accompanied by a partial payment of $500 that was applied to the outstanding taxes for 2006. There are remaining unpaid tax obligations for

Attachment 5

years 2006 and 2007. Exhibit A, Second Affidavit of Brenda Vovakes, Director of Tax Compliance, dated November 3, 2009 (Exh. A) ¶¶6-7.

3. Dr. Preis filed an extension request for her 2008 tax return that estimated that taxes would be owed for that year. Exh. A ¶8.

4. On or about June 30, 2009, Dr. Preis signed an agreement with the Department of Taxes. Dr. Preis agreed to file her 2008 income tax return on or before August 5, 2009, and to begin making monthly arrearage payments of $1000, beginning on the same date and continuing until all the outstanding taxes, penalties, and interest were paid in full. Exh A ¶ ¶10-11 and Exhibit 2 to Exh. A.

5. As of November 3, 2009, Dr. Preis has failed to file her 2008 tax returns or to make any of the monthly arrearage payments due under the agreement up to the date of the hearing. Exh. A ¶¶9, 12.

6. In consequence of her noncompliance with the terms of the agreement and her outstanding tax liabilities for 2006 through 2008, the Department of Taxes has determined that Dr. Preis is not in good standing as defined in 32 V.S.A. §3113(f).

Conclusions of Law and Decision

Vermont state tax law requires that "an agency *shall* revoke or suspend any license or other authority to conduct a trade or business (including a license to practice a profession) issued to any person if the agency finds that taxes ... have not been paid and that the taxpayer's liability for such taxes is not under appeal." 32 V.S.A. §3113(f) [Emphasis added]. All that is required as *prima facie* evidence of the alleged failure to pay is a written representation to that effect from the Department of Taxes. *Id.* The affidavits of Brenda Vovakes, Director of Tax Compliance, admitted in this docket provide that evidence.

Respondent has failed to file Vermont income tax returns for 2008 and has failed to pay the taxes due for the past three years. Although there is a hardship provision in the statute, it is applies only to unpaid taxes due; it is not available for failure to file tax returns. 32 V.S.A. §3113(g)(4). In any case, the Respondent has not pleaded hardship.

Under the applicable law and the facts of this case, the Board is without discretion and must suspend the Respondent's license unless the taxpayer's tax liability is under appeal. 32 V.S.A. §3113(f). No evidence was adduced that any such appeal is pending.

Accordingly, the Board is again suspending Dr. Preis's license to practice medicine until such time as the Department of Taxes certifies to the Board that she in *good standing* with regard to her taxes. In order to be in good standing, the Respondent must (1) file all returns and (2) pay all taxes due, appeal her tax liability, or arrange and *comply* with a payment plan with the Department of Taxes. 32 V.S.A. §3113(g)(l-3).

The Board is concerned about Dr. Preis's repeated failures to comply with the law regarding the payment of her taxes and about her failure to respond to multiple communications from the Tax Department, the Attorney General's Office, and the Board. At such time as the Respondent should return to good standing as regards her taxes,

entitling her to the reinstatement of her license, the Board may consider conditioning her license: (1) to require the maintenance of her good standing, with the possibility that any future failure to meet her tax obligations will subject her to revocation of her license to practice medicine, and (2) such additional conditions that the Board may find appropriate under the circumstances obtaining at that time.

The Board of Medical Practice urges Respondent to communicate immediately with the Vermont Department of Taxes regarding the filing of the missing tax return and to make the necessary arrangements for payment of outstanding tax liabilities. Failure to take the necessary steps to achieve compliance with her outstanding tax obligations will unnecessarily extend the period of her license suspension.

ORDER

In accordance with the Findings of Fact and Conclusions of Law set forth above:

1. The Motion to Suspend or Revoke Medical License is GRANTED and the license to practice medicine of Respondent Karen Preis, M.D., is hereby SUSPENDED, pursuant to 32 V.S.A. § 3113(1), pending further order of the Board.

2. This Order of suspension of licensure shall be deemed entered and effective at the time it is served personally on the Respondent or, if personal service cannot be effected, by leaving copies at the Respondent's office or home with some person of suitable age and discretion.

3. During the pendency of this SUSPENSION, and until further order of the Board of Medical Practice, Respondent may NOT see patients, counsel patients, evaluate or assess patients, prescribe for patients, or hold herself out in any way as currently and validly licensed to practice medicine in the State of Vermont. Any such acts by Respondent would be deemed to be in violation of this Order and could subject Respondent to further sanctions. Referrals of patients by Respondent to other physicians for care shall not be deemed to be in violation of this order.

4. Board investigative staff are directed to monitor Respondent's compliance with this order.

FOR THE BOARD: **DATE:**

David W. Clauss MD 11/05/09

DAVID W. CLAUSS, M.D.
Chair, Vermont Board of Medical Practice

Voicemails from Karen Preis, M.D., to James S. Arisman, Assistant Attorney General

Message from Dr. Preis, October 20, 2009:

I'm calling to say the stress has finally gotten to me. The board you know [unintelligible]. I left voicemail with Mr. Womack or whatever his name is, head of the board, saying that all of my taxes would be paid on the 30th. He had written to me and said the board was aware of my finances but I think the stress has finally gotten to me as far as my heart and blood pressure and I am going to the doctors today because I've never recovered from the loss in 2006 when I had those 4 years when I was out like 2 months taking care of all of that.

I was paying my bills up until then I've been fighting foreclosure on my home and it just drives me crazy. I've never had so much stress in my life. I go to work I'm fine but what happens is what is happening to my heart. People come into the office, burst in no warning; guy flashed his shield, so my heart just started beating like I couldn't believe it. So what ended up happening ok is I lost 3 weeks of work with that. Then I get my license back it gets another month to get to DEA - that number I've had since 1971 and so I lose all the money from June and I only work half time in July because most of my patients, I have one patient in my practice whose not on any kind of meds so I spend most of my time writing letters and sending summaries of my medication flowcharts that I have in my computer to the doctors who don't know their patients.

Most of the pediatric practices now [GAP] there might be 8 but there are only 4 literally working at any one time so I think Kathleen can enjoy. So on top of that with like no money coming in I get my license back on one day and the next day the sheriff comes with foreclosure papers for my house. A week later I go, I'm at work, and a guy comes with foreclosure papers on my office because I got 11 months behind after the whole fiasco in 2006 on my office but the only bills I wasn't paying were on the house and the office because there was equity there. Everything else I was paying. I got 2-3 months behind on my regular bills as a result of 2006, I was one month behind on that, and then by spring of that year I was behind on the mortgage payments. And then the June episode I ended up being two months and that's why I'm now two months behind on paying my bills and it's been a year and a half since I made a mortgage payment. I had to [GAP]

So what ends up happening is I'm $5,500 behind on my association fees on the office. I've been running like 4 months behind since 2006 on the mortgage but that has nothing [GAP] because I was paying every month. And then what happens is the following day I meet with a bankruptcy attorney, I called around to a few attorneys who are friends of mine, and in the process of talking to a bankruptcy attorney as we're going through everything, I think I had a heart attack as did he. This is like the 3rd time this has happened but nothing like this. In 2003 I had to pull off the interstate when I saw the lake and the mountains shortly after losing my

Attachment 6

home and I [GAP] down and took 10 aspirins when something like this happens and I went to work so tired the whole rest of the day and a little bit of heartache. Then in 2006 I had two real bursts, they weren't that bad, but they were like 5 minutes and in 2006 I started taking 3 whole aspirin - I'd been taking one a day or years since I was in Boston with the Harvard thing when the aspirin and heart attacks came out, and then what ended up happening is I'm in there talking with him and I had the most, since I'd had in 2006 I'd had little ones, so what I did was I just took the aspirin and did [GAP] because that can increase the blood to your heart.

What happened in the bankruptcy attorney's office was I felt like I've never felt, there was incredible pain like someone was standing on my chest and the pain went into my right arm, my left arm and up my left jaw. So, I really thought I was going to die then and there. He wanted to call the ambulance and I said no because I have no health insurance and the fact is I had no money. It was absolutely ridiculous. So the long and short of it is that when the people came to my office to make me stop practicing because I was behind on my taxes my blood pressure shot up to 175 over 135 and it's been gradually going up with just the work, my age, I'm going to be 65 on the 29th of this month, and so I got it down a bit, I tried exercising a little bit, walking a little between patients a little bit and everything and so I was really feeling I was on top of it and then when I, from before, when I was in the bankruptcy attorney's office it was just incredibly awful. It was just everything I could do to keep him from calling and ambulance. So what has happened since is that I've been very careful, I've been taking the aspirin, I [GAP]

I'll finish up very quickly. I'm sorry. I can't even talk to you, the stress from the board. I've not even been able to open any of those envelopes. So what I'm doing is I've not been able to get my blood pressure down. I've been taking it and Betty took it and I talked to her about it yesterday and basically I've been running 155 over 95 and I can't get it down and I've been having increasing chest pains. And I've been an absolute nervous wreck since that barrage of letters certified by the, you know, that came to the office and I signed the thing about the meeting tomorrow and I was going to try to get that done within a few days. I'm getting this barrage of certified here and there and I'm shell shocked.

It's like post traumatic stress disorder. I just get so stressed my heart rate goes up to 120 so I'm not going to have a heart attack and I'm not going to die. I'm doing everything I can to keep from being homeless. I've finally got a cash flow back again. It takes months after you're working to get the cash flow coming in to where I still can't pay my mortgage but I can pay all the other bills and I'm in the process of working with the finance people so I'm not homeless at 65. I mean it's just, I feel like the last 15 years have been such a nightmare and all I did [GAP] I had a wonderful life. I was content. I would have had a house paid off and in 2001 my $350,000 in retirement funds would have been $1 million now. Instead I can't pay the mortgage on the house I'm in and I have no retirement.

I've been working 7 days a week with the exception of 4 days I took with my father and my brother for his 88th at the beginning of September and the 5 days I took with my friend, which were a life saver. It's my first vacation since July 1994 so I'm not going to the meeting tomorrow. I'm working, I'm seeing patients. I can do that. The hard problem is the blood pressure is a problem. I sit all the time. The problem I try to go up a flight of stairs or walk further than my house to the car, or car to the office. Today's I'm going to a doctor - I don't have any health insurance. I'm in the process of applying for Medicare and so I'm going to the doctors and will send copies of all the results to you but I am just so traumatized by this whole thing, between the board and the tax [GAP] I could work and see all those extra patients and that didn't raise my blood pressure nothing. I'm also calling a psychologist because I'm paralyzed, psychologically paralyzed, to open the letters and part of that is because I'm so afraid that if I open the letter I'm going to be so upset I'm going to have a heart attack. So what I'm doing is getting my blood pressure and heart treated, EKG, and all that stuff because you can't walk around with 155 over 95

And the other thing obviously is I'm going to call the psychologist, the nice man you referred me to, he knows the board, he knows all the stuff, and work with him to get over - I mean I'm just so negatively sensitized by the board that I can't open all those certified and non certified letters. I have literally been paralyzed. Every time I go to do it my heart beats up so much, it's frightening. I mean what happened in the bankruptcy attorney's office was the scariest thing in my whole life. I thought I was going to die. And so I've been plugging along, getting caught up, I'm behind on the taxes, obviously I'm behind on writing the letter about [redacted] who used to be [redacted] who I spent hours and hours of free care and I haven't seen since September. I think it's interesting because I have a thing from September 2007, she puts on a blue little sticky pad, *thank you Dr. Preis for making such a difference in my life*. And then turns around and I haven't seen her since the fall of 2007. She's saying I abandoned her which is . . . . I wish I had abandoned everybody. I'd still have my home, my health, and everything.

So, I will be going to the doctors. I will get back to you with the results. I have to get an EKG and get some blood pressure medicine obviously, and I will make an appointment with the psychologist where I can sit down with him and open up these letters and just find out everything that is going on. I am just totally wiped out, in a panic and it's just been the most painful experience. The Board, I can just work like crazy, and the Board has been the worst, and then the State of Vermont - somebody has no money so you take away their ability to earn it because right now I'm over $50,000 behind probably in income just from the board stopping me from working and I know I've been working. I've been doing everything humanly possible. I'm not going to die or become a cardiac cripple. And so I'm going to hang up.

Anyhow, thank you for listening, and that's just where I am. My health is really ruined at this point. Can't even walk up a damn flight of stairs without stopping at the top and sitting. And psychologically I'm fine except for when I look at that stuff from the board, I just almost

have panic attacks and I just can't stand it and I've done everything I can do so I will work with the psychologist in getting over that. I have no other choice and I have to keep working. I'm giving good cheer, people are getting better and I finally have the cash flow, and I'm doing everything possible to keep the foreclosure at bay because when they came in June I said if you make me stop working I'm going to lose my home. Right. Bye, bye.

FOREGOING, AS TO KAREN PREIS
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE

Peter Thanadaw MD	Janice Gallant
Gary R. Sadkin MD	
Patricia A. King MD PhD	
David A. Jenkins	
Robert J. Stryer MD	
Eileen M. Illuzzi	
Janice E. Ryan	

DATED: 1/5/2011

ENTERED AND EFFECTIVE: 1/5/2011

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609