

**VERMONT BOARD OF MEDICAL PRACTICE**  
**Minutes of the June 7, 2017 Board Meeting**  
**Gifford Medical Center, Randolph, Vermont**

**Approved**

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

William K. Hoser, PA-C, called the meeting to order at 12:05.

**Members Present:**

Richard Bernstein, MD; Brent Burgee, MD; Richard Clattenburg, MD; Michael Drew, MD; Allen Evans; Faisal Gill; Robert G. Hayward, MD; Patricia Hunter; David A. Jenkins; Leo LeCours; David Liebow, DPM; Sarah McClain; Christine Payne, MD; Harvey Reich, MD; Marga Sproul, MD.

**Others in Attendance:**

David Herlihy, Executive Director; Paula Nenner, Investigator; Scottie Frenner, Board Investigator; Karen LaFond, Operations Administrator; Margaret Vincent, AAG; Cassandra Diederich, AAG; Bill Reynolds, AAG; George Belcher, Esq; Jessa Barnard, Vice President for Policy, Vermont Medical Society; Hannah Clarice, Intern, Attorney General's Office; Lillian Colasurdo, Public Health Policy Advisor, Vermont Department of Health.

**2. Public Comment:**

None

**3. Approval of the Minutes of the May 3 and May 17, 2017 Board Meetings:**

Dr. Liebow moved to accept the minutes of the May 3, 2017 meeting. Dr. Drew seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Liebow moved to accept the minutes of the May 17, 2017 meeting. Dr. Reich seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

**4. Board Issues (Mr. Hoser):**

Mr. Hoser queried the members regarding attendance at the July 5<sup>th</sup> board meeting. Five members noted that they would be on vacation Mr. Herlihy stated he would follow up with absent members and advise on the final time, date and location of the July meeting.

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

Mr. Herlihy stated he did not have any updates apart from the matters covered under Other Business.

**6. Presentation of Applications:**

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

**7. Presentations to the Board:**

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

- **In re: James Scott Stone, MD – MPS 055-0509 – Request for Relief from Conditions**

Mr. Belcher and Ms. Diederich addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Mr. Gill made a motion to approve the Request for Relief from Conditions. Mr. LeCours seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

- **In re: Lisa A. Furmanski, MD – MPN 010-0117 – Stipulation and Consent Order**

Mr. Belcher and Mr. Reynolds addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Mr. Hoser made a motion to approve the Cessation of Practice Agreement. Dr. Reich seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee.

- **In re: Christopher Bondi, MD – MPS 065-0517 – Cessation of Practice Agreement**

Mr. Belcher and Ms. Diederich addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Dr. Hayward made a motion to approve the Cessation of Practice Agreement. Mr. LeCours seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

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

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

The Board began discussion of this topic out of order, before the scheduled time for the beginning of the public hearing. Mr. Hunter made a motion at 12:23 p.m. to go into Executive Session to discuss confidential matters related to investigations. Mr. Jenkins 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. Reich made a motion at 1:17 p.m. to return to Open Session. Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

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

MPN 041-0417 – Special Letter #1  
MPN 018-0217 – Letter #1; Mr. Hoser recused  
MPN 019-0217 – Letter #1; Mr. Hoser recused  
MPN 012-0117 – Letter #1; Mr. Hoser recused  
MPN 173-1216 – Special Letter #1; Mr. Hoser recused  
MPN 001-0117 – Letter #1  
MPN 011-0117 – Letter #1; Dr. Reich recused

Dr. Reich made a motion to close the cases presented. Ms. McClain seconded the motion. The motion passed; opposed: none; abstained: none; recused: 2 and North Investigative Committee.

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

MPC 155-1016 – Special Letter #1; Dr. Reich recused  
MPC 190-1216 – Special Letter  
MPC 020-1216 – Letter #1; Dr. Sproul recused  
MPC 021-0217 – Letter #1  
MPC 111-0716 – Letter #1

Dr. Hayward made a motion to close the cases presented. Dr. Bernstein seconded the motion. The motion passed; opposed: none; abstained: none; recused: 2 and Central Investigative Committee.

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

MPS 030-0417 – Letter #1  
MPS 176-1216 – Letter #1

MPS 032-0317 – Special Letter #1; Dr. Sproul recused

Mr. LeCours made a motion to close the cases presented. Dr. Hayward seconded the motion. The motion passed; opposed: none; abstained: none; recused: 1 and South Investigative Committee.

## **12. Other Business:**

- **Agenda item: Board input on draft responses to public comment on revised Board Rule. The Department of Health conducted a public meeting and solicited written comments from parties interested in the Rule revision. Draft responses to the comments will be reviewed with the Board to obtain member input on issues raised in the public comments.**

Mr. Herlihy led the discussion regarding the public comments received regarding the proposed Board Rule, explaining that all the comments had been considered. Some of the comments prompted changes that were incorporated into the current draft provided to members. All comments were responded to in the draft responsiveness summary distributed to members. He noted that he worked closely with Ms. Colasurdo and Ms. Vincent on the responsiveness summary and that he had distributed a list of points that he wanted to go over with the Board to confirm their position and determine if the Board concurred with the responses in the draft document. The discussion began with a presentation by Mr. Hoser about a recent meeting of the American Academy of Physician Assistants that related to many of the comments submitted by that group and by the Vermont Academy of Physician Assistants. He noted that the AAPA House of Delegates had approved the terminology “optimal team practice” and discussed the commitment of the PA profession to team-based collaborative care.

The Board discussed each of the points listed, indicating for each point whether the proposed Rule should remain as drafted or be modified in response to the comment. The Board agreed that it would recommend accepting the first item on the list, which addresses subsections 27.1.4 and 27.1.5. The commenter suggested that those sections be deleted, and the Board agreed. Otherwise, the Board agreed that the draft document with responses to public comments should remain as drafted.

- **Board Retreat – discussion of topics for a retreat day proposed to take place during the time of the regular September meeting.**

Mr. Herlihy discussed with members topics for consideration during the September retreat. He explained that physician wellness was a major theme of the FSMB conference and proposed that he, Ms. Hunter, and Mr. Hoser could collaborate to present information on that topic from the conference. He also proposed having an update session on some Board “housekeeping” issues that are covered periodically, such as conflicts and recusal. He asked

members to let him know if there are other areas of interest to explore at the retreat. Other topics proposed were a communication plan and/or public messaging of the role of the Board and the recent legislative changes for VPHP.

○ **Update on the CME Audit process.**

Mr. Herlihy noted that there will be a fair number of cases to open now that the second round of the CME audit has been completed. He added that there have been some lessons learned to improve the compliance rate and to improve communications around the CME requirements, and that those lessons will be applied as procedures and communications are revised for the future.

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

- **June 15, 2017, North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 3<sup>rd</sup> Floor, Conference Room 2C, Burlington, VT**
- **June 16, 2017, Central Investigative Committee Meeting, 9 a.m., Central Vermont Medical Center, Conf. Rm. 2, Berlin, VT**
- **June 21, 2017, Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2<sup>nd</sup>, Floor Burlington, VT (and via telephone)**
- **June 21, 2017, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **July 5, 2017, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **July 5, 2017, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

**14. Open Forum:**

**15. Adjourn:**

Mr. Hoser declared the meeting adjourned at 3:25 p.m.

**Attachments: Appendix A**

## APPENDIX A

### Presentation of Applications

**Mr. Hoser moved for the issuance of physician licenses and physician assistant licenses for:**

Robert Areson, MD	Jorden Arnett, MD	Matthew Babineay, MD
Daniel Barkhuff, MD	Diana Berger, MD	Stephen Berns, MD
Lars Boman, MD	Richard Bounds, MD	Joseph Bradley, MD
Dawn Brooks, MD	Jessica Brooks, MD	Lee-Anna Burgess, MD
Lauren Faricy, MD	Aaron Jagelski, MD	Katelyn Jupin, PA-C
Nathaniel Kouns, MD	Shea Lambirth, MD	Aydin Lathari, MD
Alison Migonis, DPM	Shabnam Momtahn, MD	Jacob Morrill, PA-C
Trevor Neal, MD	Thomas Pace, MD	Robert Pritchard, MD
Veena Raju, MD	Joseph Ravera, MD	Ryan Rogers, MD
Jeffrey Shelby, MD	Kelsey Welsh, PA-C	Robert Wildin, MD

Recommended by Dr. Bernstein for licensure. Seconded by Mr. Gill. The motion passed; opposed: none; abstained: none; recused: none.

**Mr. Hoser moved for the issuance of Limited Temporary Physician licenses for:**

Cody Anderson, DPM	Jenaya Goldwag, MD	Christopher Minor, MD
Douglas Reed, MD	Kayleigh Sullivan, MD	

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