

**VERMONT BOARD OF MEDICAL PRACTICE**  
**Minutes of the September 4, 2019 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

**Members Present:**

Richard Bernstein, MD; Brent Burgee, MD; Richard Clattenburg, MD; Francis J. Heald; Rick A. Hildebrant, MD; Patricia Hunter; Leo LeCours; David Liebow, DPM; Judy Rosenstreich; Ryan Sexton, MD; Robert E. Tortolani, MD.

**Others in Attendance:**

David Herlihy, Executive Director; Paula Nenninger, Investigator; Scottie Frennier, Board Investigator; Karen LaFond, Operations Administrator; Margaret Vincent, AAG; Kassandra Diederich, AAG; George Belcher, Esq.

**2. Public Comment:**

None

**3. Approval of the Minutes of the August 7 and August 21, 2019 Board Meetings:**

Dr. Tortolani moved to accept the minutes of the August 7, 2019 meeting. Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Mr. Heald moved to accept the minutes of the August 21, 2019 meeting. Dr. Tortolani seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

Mr. Hoser shared this time with Dr. Bernstein, who brought two articles from the New England Journal of Medicine for the members to read:

Beletsky, Leo, JD, MPH; Wakeman, Sarah E., MD; Fiscella, Kevin, MD, MPH (2019) Practicing What We Preach – Ending Physician Health Program Bans on Opioid-Agonist Therapy. *New England Journal of Medicine* vol. 381, p. 796-797

Haffajee, Rebecca L., JD, PH. D, MPH (2019) Prescription Drug Monitoring Programs – Friend or Folly in Addressing the Opioid-Overdose Crisis? *New England Journal of Medicine* vol. 381, p. 699-701

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

Mr. Herlihy informed the members that a new Board Member has been appointed by the Governor's Office: Margaret Tandoh, MD. She will fill the vacancy on the North Investigative Committee.

Mr. Herlihy reported to members that he has confirmed with the Business Office that their taxable and non-taxable earnings have been reported properly. A member had previously expressed concern that this wasn't happening, so Mr. Herlihy looked into it and verified the earnings are correctly reported.

Mr. Herlihy informed members that a new Assistant Attorney General has been hired, Megan Campbell, and will transition into her new role with the Board in October.

**6. Presentation of Applications:**

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

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

- **In re: Maurice Geurts, MD – MPC 027- 0317 – Stipulation and Consent Order**

Ms. Diedrich addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Mr. Heald made a motion to approve the Stipulation and Consent Order. Dr. Bernstein seconded the motion. The motion passed; opposed: none; abstained: none; recused: Dr. Liebow, Dr. Tortonlani, and the Central Investigative Committee.

**8. 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. Dr. Liebow made a motion at 12:28 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Clattenburg seconded the motion. The motion passed; opposed: none; recused: none; abstained: none

Dr. Clattenburg made a motion at 1:38 p.m. to return to Open Session. Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Liebow made a motion to return to executive session at 1:47. Dr. Hildebrant 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:**

Dr. Liebow made a motion at 2:22 p.m. to return to Open Session. Dr. Bernstein seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

MPN 131-1118 – Letter #1  
MPN 132-1118 – Letter #1; Dr. Sexton recused  
MPN 066-0519 – Letter #1  
MPN 109-0619 – Special Letter #1  
MPN 062-0519 – Special Letter #1  
MPN 052-0419 – Special Letter #1; Dr. Liebow recused

Dr. Clattenburg made a motion to close the cases presented. Dr. Sexton 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 014-0219 – Letter #1  
MPC 042-0319 – Special Letter #1  
MPC 111-0619 – Letter #1  
MPC 062-0618 – Letter #1  
MPC 120-1118 – Special Letter #1

Dr. Hildebrant made a motion to close the cases presented. Mr. Heald seconded the motion. The motion passed; opposed: none; abstained: none; recused: Central Investigative Committee.

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

MPS 063-0519 – Special Letter #1  
MPS 072-0519 – Special Letter #1; Dr. Sexton recused  
MPS 025-0219 – Special Letter #1

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

#### **10. Other Business:**

- **Board of Medical Practice Officers – a discussion of anticipated openings in the coming year.**

Mr. Herlihy informed members that Mr. Hoser's term will come to a close at the end of the year, noting that his departure will open up the position of Chair. He also asked members who were due to be reappointed during the past year if they had received notice of reappointment, and if not, whether they had submitted applications.

Mr. Herlihy also noted that a Nominating Committee will be needed to propose board officer nominations and asked members to consider serving on the committee, which will convene toward the end of the year. He encouraged members to consider nominating themselves for a position as an officer and gave a summary of the duties of the Secretary, Vice Chair, and Chair. He also noted that the Licensing Committee is in need of another physician member.

- **Update on processes for emergency rule and formal rulemaking on foreign medical school approval standard.**

Mr. Herlihy provided a brief update on the status of the rulemaking process for the emergency rule on foreign medical schools.

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

- **September 12, 2019, North Investigative Committee Meeting, 9 a.m., Vermont Department of Health, 108 Cherry Street, Conference Room 2C, Burlington, VT**
- **September 13, 2019, Central Investigative Committee Meeting, 9 a.m., Central Vermont Medical Center, Cancer Center Conf. Rm. 2, Berlin, VT**

- **September 18, 2019, 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)**
- **September 18, 2019, South Investigative Committee Meeting, 12:00 p.m., Board of Medical Practice office, 108 Cherry Street, 2<sup>nd</sup>, Floor Burlington, VT (and via telephone)**
- **October 2, 2019, Licensing Committee Meeting, 11:00 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **October 2, 2019, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

**12. Open Forum: Non-agenda item – member attendance at the FSMB Conference.**

Ms. Rosenstreich expressed interested in attending the annual FSMB meeting that will be held in Spring 2020 as a public member of the board. Mr. Herlihy noted that the FSMB supports new member development for public members by providing scholarship funding to send one newer member to the annual meeting, noting that the “new member” has been interpreted by FSMB to include public members who have not previously attended the annual meeting. He stated that it could be possible to send more than one public member with the use of the Board funds, as the statute specifies that member development is an allowed use of administrative penalty payments. He stated the FSMB will send out information toward the end of the year and that the Board can discuss the issue then.

**13. Adjourn:**

Mr. Hoser declared the meeting adjourned at 2:46 p.m.

**Attachments: Appendix A**

## APPENDIX A

### Presentation of Applications

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

Albert Arceri, PA-C	John Bohman, MD	Tina Chang, MD
Rudolph Fedrizzi, MD	Ebrahim Ghazali, MD	Susan Gonnella, MD
Lisa Graves-Austin, MD	Jonathan Hastings, MD	Caitlin Haxel, MD
Mary Huff, MD	Vivek Iyer, MD	Alexander Protosevich, PA-C
Neelima Singh, MD	Neetu Singh, MD	Colin Stack, MD
Mitchell Stotland, MD	Meredith Todd, MD	Sara Trepanier, MD
Rosanna Woodard, PA-C		

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

**Mr. Hoser moved for the issuance of limited temporary licenses to practice medicine for:**

Natasha Dhawan, MD      Elizabeth Schwartz, MD

Recommended by Dr. Liebow for licensure. Seconded by Dr. Tortolani. The motion passed; opposed: none; recused: none; abstained: none.