

**VERMONT BOARD OF MEDICAL PRACTICE**  
**Minutes of the April 3, 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 12:12

**Members Present:**

Allen Evans; Francis J. Heald; Rick A. Hildebrant, MD; Patricia Hunter; Leo LeCours; David Liebow, DPM; Sarah McClain; Christine Payne, MD; Ryan Sexton, MD; Marga Sproul, MD; Gillian L. Stearns-Parr, 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; Sarah Bushweller, PA-C; Catherine Antley, MD.

**Public Comment:**

None

**2. Approval of the Minutes of the March 6 and March 20, 2019 Board Meetings:**

Ms. McClain moved to accept the minutes of the March 6, 2019 meeting. Ms. Stearns seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Liebow moved to accept the minutes of the March 20, 2019 meeting. Mr. LeCours seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

Mr. Hoser noted that the presentation on the agenda for the Howard Center Safe Recovery Program has been rescheduled for the May meeting.

Mr. Hoser reminded members that he and Ms. Hunter and Mr. Herlihy will be attending the Federation of State Medical Boards annual conference at the end of the month.

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

Mr. Herlihy gave the members a brief update on the National Practitioner Data Bank (NPDB) Continuous Query reporting outcomes in the first quarter. Since the Board enrolled all licensed medical professionals into the NPDB system, 40 additional reports have been received that were not sent to the Board at the time the reports were generated. Many of those have resulted in investigations. NPDB distributes reports for free without a Board enrolling in the paid service, but the Continuous Query system provides an enhanced level of service in that it ensures all reports regarding all licensees are received. He believes this system is worth the \$2 per licensee as it supports the Board's responsibility to protect the public, as evidenced by the number of reports received so far that had not been sent to the Board under the old system.

Mr. Herlihy informed the Board that the Medical Director of the Vermont Practitioner Health Program, Lisa Lambert, MD, has given her notice. She will stay on until she is replaced.

Mr. Herlihy shared that staff member Kelly Lawler, Administrative Assistant, has recently been promoted to Administrative Services Technician IV, which is two pay grades higher. He added that this is well-deserved as Kelly provides a high level of service to the Board and this higher classification recognizes her expertise and her contributions. He also shared that the state approved a new policy which allows employees who are mothers with babies ages 6 months and under to bring their babies to work. He stated that Ms. Diederich has been approved to bring her baby to the Board office.

#### **5. 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.

#### **6. Recess; Reconvene meeting; Executive Session to Discuss:**

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

Dr. Liebow made a motion at 12:38 p.m. to go into Executive Session to discuss confidential matters related to investigations. Ms. McClain seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

#### **7. Return to Open Session; Board Actions on matters discussed in Executive Session:**

Ms. McClain made a motion at 1:07 p.m. to return to Open Session. Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

MPN 03-0218 – Stan Burns Letter  
MPN 127-1118 – Letter #1; Mr. Hoser recused  
MPN 112-1018 – Letter #1  
MPN 107-0918 – Special Letter #1

Mr. Heald made a motion to close the cases presented. Ms. Hunter seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee.

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

MPC 029-0318 – Special Letter #1

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

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

MPS 145-1218 – Letter #1; Dr. Sexton recused  
MPS 012-0219 – Special Letter #1  
MPS 028-0219 – Letter #1; Mr. LeCours, Ms. McClain, Mr. Hoser, Dr. Sproul recused  
MPS 128-1118 – Letter #1

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

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

**9. Other Business:**

Legislative Update – Mr. Herlihy reviewed the status of pending legislation of interest to the Board.

- H. 116, a bill that would revise PA regulation, has not been taken up by the House Healthcare Committee. Its twin, S.128, has been discussed but has not passed out of the Senate Health and Welfare Committee. Because neither made the “crossover” deadline each should be considered over for this session, but it is possible that one version could be attached to other legislation. He stated that he

and Mr. Hoser will be meeting on Monday, April 8<sup>th</sup> with representatives of the Physician Assistants Academy of Vermont (PAAV) and the organization's lobbyist to discuss the Board's position.

- H. 438, which is the bill containing the proposed language to update the Board's statute has not been taken up by the House Healthcare Committee yet. He stated it is possible it won't be taken up for consideration during this legislative session, but that it would be positioned for review in the 2020 legislative session.
- H. 104, the OPR bill, has specific sections that are of interest to the Board. Two of those in the original bill were sections that proposed to modify scope of practice for pharmacists and optometrists. In the version that passed the House, those were changed to studies. The scope of practice of acupuncturists is also under review. Finally, the bill includes continued review of all professional licensing boards to determine if efficiency and effectiveness could be improved by moving professions among agencies. The bill has passed the House and Mr. Herlihy will continue to monitor it.
- H. 139/S. 181 – the bill addressing doctoral level psychologist prescribing is still on “the wall” and has not been taken up in Committee in either chamber.
- S. 73, addressing licensing of ambulatory surgical centers, has passed the Senate and will be taken up in the House Healthcare Committee. If it passes the main impact on the Board will be that oversight of ASC licensing will become another job duty of the Executive Director of the Board.
- S.111 is a bill about addressing health impacts related to open burn pits that were encountered by military members during overseas deployments. The bill has passed the Senate. It is of interest to the Board because the bill tasks the Health Department and “appropriate professional licensing boards” with informing licensees about health impacts seen in veterans who were exposed to burn pits.

Board Policies: Mr. Herlihy led a brief discussion reviewing existing Board policies and FSMB policies. He proposed the Board may wish to consider establishing a policy on the use of social media and noted that the FSMB has a model policy. Ms. Hunter stated that this policy will be reviewed and updated later this month at the annual conference. Mr. Herlihy stated that once the FSMB has finalized the policy he will review the revised model policy and propose a draft.

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

- **April 11, 2019, North Investigative Committee Meeting, 9 a.m., Vermont Department of Health, 108 Cherry Street, Conference Room 2C, Burlington, VT**
- **April 12, 2019, Central Investigative Committee Meeting, 9 a.m., Central Vermont Medical Center, Conf. Rm. 2, Berlin, VT**

- **April 17, 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)**
- **April 17, 2019, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **May 1, 2019, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **May 1, 2019, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

**11. Open Forum:**

None

**12. Adjourn:**

Mr. Hoser declared the meeting adjourned at 2:04 p.m.

**Attachments: Appendix A**

## APPENDIX A

### Presentation of Applications

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

Nadeem Ali, MD	Naiim Ali, MD	Jasmine Aly, MD
Donn Beeson, MD	Steven Bleyl, MD	Karen Bruck, MD
Ellen Davis, MD	Theresa DeMarco, MD	Cassandra DeMartino, MD
Elizabeth Disney, MD	Katelynn Ferranti, MD	Emily Hadley Strout, MD
Michael Hwang, MD	Hirenkumar Italia, MD	Ludmila Kaplan, MD
Mithcell Karmel, MD	Davis Liu, MD	Suman Majumdar, MD
John Moustoukas, MD	John Moulloy, MD	David Nelson, MD
Callum Potts, MD	Rachel Psoinos, MD	Arash Radfar, MD
Scott Raymond, MD	Marcus Riccioni, MD	Jennifer Rossi, MD
Manfred Rothstein, MD	James Roy, MD	Eric Sampson, MD
Thomas Schmidt, MD	Laurie Senol, MD	Wesan Shango, PA-C
Michael Shaw, PA-C	Scott Sherwin, MD	William Vanneman, Jr., MD
Penny Vroman, MD	Kramer Wahlberg, MD	Rebecca Winslett, PA-C
Mark Yelderman, MD		

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

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

Ibrahim Abubakar, MD	Mahrukh Ali, MD	Arjun Anilkumar, MD
Daniel Bax, MD	Moataz Behairy, MD	Griffin Boll, MD
Aamani Chava, MD	Morgan Clark-Coller, MD	Mansour Gergi, MD
Jeanne Gosselin, MD	Bhisham Harchandani, MD	Janna Henry, MD
Y-Lan Khuong, MD	Matthew Kluge, MD	Michal Lata, MD
Carli Whittington, MD		

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