

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the January 8, 2020 Board Meeting
Gifford Medical Center, Randolph, Vermont

Approved

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

Richard Bernstein, MD, Chair, called the meeting to order at 11:40AM.

Members Present:

Brent Burgee, MD; Richard Clattenburg, MD; Francis Heald; Rick A. Hildebrant, MD; William K. Hoser, PA-C; Patricia Hunter; Leo LeCours; David Liebow, DPM; Sarah McClain; Christine Payne, MD; Judy P. Rosenstreich; Marga Sproul, MD; Margaret Tandoh, MD; Robert E. Tortolani, MD.

Others in Attendance

David Herlihy, executive Director; Paula Nenninger, Investigator; Scott Frennier, Investigator; Karen LaFond, Operations Administrator; Margaret Vincent, AAG; Megan Campbell, AAG; Cassandra Diederich, AAG; George Belcher, Esq; Thomas Tremblay.

2. Public Comment: None

3. Approval of the Minutes of the December 4, 2019 Board Meetings:

Dr. Liebow moved to accept the minutes of the December 4, 2019 meeting. Mr. Heald seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

4. Board Issues (Dr. Bernstein):

Dr. Bernstein presented a memento to former Board Chair William Hoser, PA-C and thanked him again for his dedication to the Board as a member and as Chair as he nears the end of his service.

5. Administrative Updates (Mr. Herlihy):

Mr. Herlihy informed members that the PA Renewal was still underway and there were 180 completed renewals out of approximately 460.

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

In re: Alan Edward Bonsteel, MD – Order of Revocation – MPN 068-0718

Ms. Diederich addressed the Board, summarizing the facts leading up to the Order of Revocation. Mr. Heald made a motion to approve the Order of Revocation. Dr. Tortolani seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee.

7. Presentation of Applications:

The Board began discussion of this topic out of order, after the presentation, to allow sufficient time for discussion. Applications for physician, physician assistant and limited temporary physician licensure were presented and acted upon as detailed in Appendix A, incorporated by reference into these minutes.

8. Presentations to the Board: Thomas Tremblay on Trauma-Informed Approach to Sexual Assault Investigations. The presentation provided Board members an overview of trauma-informed approaches to sexual assault/misconduct regulatory investigations and adjudications. The focus was on misconceptions that commonly impair the response and handling of cases that feature traumatic events for complaining witnesses. Mr. Tremblay presented an overview of the science regarding how trauma victims perceive, recall, and report events, and explained how it is common for trauma victims to act in ways that might not be expected while experiencing trauma, and after experiencing trauma. He discussed examples of cases where misconceptions about how an average person reacts interfered with detection of serial offenders and sometimes interfered with holding offenders accountable. He provided recommendations for how trauma victims should be handled during interviews and for incorporating knowledge about the affects of trauma in the adjudication process.

9. 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 1:57 PM 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.

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

Dr. Liebow made a motion at 2:46 PM to return to Open Session Dr. Tortolani seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

MPN 184-1216 – Stan Burns Letter
MPN 096-0619 – Special Letter #2; Dr. Hildebrant recused
MPN 130-0819 – Letter #1; Dr. Liebow and Mr. Hoser recused

Mr. Heald made a motion to close the cases presented. Dr. Tortolani seconded the motion. The motion passed; opposed: none; abstained: none; recused: 3 and North Investigative Committee.

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

MPC 104-0619 – Letter #1

Dr. Liebow made a motion to close the case presented. Ms. Hunter seconded the motion. The motion passed; opposed: none; abstained: none; recused: Central Investigative Committee.

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

MPS 058-0519 – Special Letter #1; Dr. Sproul recused
MPS 084-0519 – Special Letter #2
MPS 167-1119 – Special Letter #1; Dr. Sproul recused
MPS 121-0719 – Letter #1
MPS 124-0719 – Special Letter #1
MPS 119-0719 – Letter #1
MPS 139-0919 – Letter #1
MPS 061-0519 – Special Letter #1
MPS 150-1019 – Special Letter #1; Dr. Sproul recused
MPS 168-1119 – Special Letter #1

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

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

None

12. Other Business

- **FSMB Draft Report of Workgroup on Physician Sexual Misconduct:** Mr. Herlihy briefly reviewed the proposed policy and asked members for input. He noted that he did not have any policy related comments but had some editorial suggestions. For instance, the terminology “comprehensive evaluations” he felt needed expansion of definition. Members discussed the policy and agreed that Mr. Herlihy should submit comments. Members requested that the comments include mention that the Workgroup did an excellent job that resulted in a thorough report.
- **Revised Proposal from Physician Assistant Academy of Vermont for Changes to Statutes Regarding PA Supervision.**

Mr. Herlihy reviewed the proposed changes and members agreed to have a subcommittee of the board further review the language. Dr. Tortolani, Ms. Rosenstreich, Mr. Hoser, and Dr. Hildebrant agreed to serve on the committee and Mr. Herlihy stated he would reach out to other members who were not present at the meeting to ensure they have an opportunity to participate if they so wish. The subcommittee will report back to the Board with recommendations.

- **Continued Discussion of Act 30 as related to the concept of extending prescribing authority to pharmacists.**

Mr. Herlihy noted that the report for Act 30 was not available to discuss with the Board and this agenda item was tabled until the February meeting.

- **Board Financial Support for Member Attendance at the FSMB Conference –**

Mr. Herlihy briefly reviewed the attendance opportunities for Board members at the upcoming FSMB conference. The FSMB provides reimbursement for the Chair and Executive Director of each member board to attend and provides a “scholarship” for a limited number of public members to attend. Dr. Bernstein stated he is declining to attend the meeting this year and proposed to the members that Ms. Hunter attend as the Board’s designee. The members supported his proposal and Ms. Hunter will attend representing the Board as a voting delegate. Mr. Herlihy will also attend and asked members for their input about public members attending via the scholarship. Mr. Heald stated he wished to attend utilizing the scholarship funds and the members supported this request. Ms. Rosenstreich stated that she is also interested in attending and inquired of whether there were additional Board funds at this time to send her to the meeting this year. By that time, a number of members had left or were leaving because of other obligations and because it was snowing, and there was not longer a quorum, so there were no additional decisions made. The discussion about using the funds for member education to support attendance at the FSMB conference was tabled until the next meeting.

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

- **January 9, 2020, North Investigative Committee Meeting, 9:00AM, Vermont Department of health, 108 Cherry Street, Conference Room 2C, Burlington, VT**
- **January 10, 2020, Central Investigative Committee, 9:00AM, Central Vermont Medical Center, Conference Room 3, Berlin, VT**
- **January 22, 2020, Board meeting on pending applications, 12:10PM, Board of Medical Practice office, 108 Cherry Street, 2nd Floor, Burlington, VT (*and via telephone*)**
- **January 22, 2020, South Investigative Committee Meeting, 11:00AM, Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **February 5, 2020, Licensing Committee Meeting, 11:00AM, Gifford Medical Center, Red Clover Conference Room, Randolph, VT**
- **February 5, 2020, Board Meeting, 12:00PM, Gifford Medical Center, Red Clover Conference Room, Randolph, VT**

14. Open Forum: None

15. Adjourn: Dr. Bernstein declared the meeting adjourned at 3:53PM.

APPENDIX A

Presentation of Applications

Dr. Bernstein moved for the issuance of physician licenses and physician assistant licenses for:

Christopher Bateman, PA-C
Lisa Campanella-Coppo, MD
Maria Diaz, MD
Jonathan Farrell, MD
Akshat Gargya, MD
Peter Ireland, MD
Sharif Kershah, MD
Robert Marsan, Jr, MD
Jamie Phifer, MD
Jennifer Singarayer, MD
Landon Trost, MD
Matthew Zak, MD

Michael Bohnsack, MD
Roxana Cham, MD
Elie Donath, MD
Melanie Fortin, PA-C
Kevin Gelshenen, MD
David Jaskwhich, MD
Spencer Langevin, MD
Philip McClure, MD
Thomas Puleo, MD
Vincent Smith, MD
Emma Weiskopf, MD

Carl Cameron, MD
David Coggin-Carr, MD
Hala El Chami, MD
Amy Freeth, MD
Jeffry Hope, MD
Anja Jokela, MD
Austin Lin, MD
James O'Leary, MD
Morgen Rogers, PA-C
Komal Soin, MD
Kyle Winking, MD

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

Dr. Bernstein moved for the issuance of limited temporary licenses to practice medicine for:

Tyler Denman, MD
Bram Newman, MD
Laura Shaffer, MD

Rebecca King, MD
Chukwueloka Obionwu, MD

Atty Moriarty, MD

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