

**VERMONT BOARD OF MEDICAL PRACTICE**  
**Minutes of the February 5, 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 12:10 PM

**Members Present:**

Brent Burgee, MD; Richard Clattenburg, MD; Allen Evans; Francis Heald; Rick A. Hildebrant, MD; William K. Hoser, PA-C; Patricia Hunter; Leo LeCours; David Liebow, DPM; Christine Payne, MD; Judy P. Rosenstreich; Ryan Sexton, MD; Margaret Tandoh, MD.

**Others in Attendance**

David Herlihy, Executive Director; Paula Nenninger, Investigator; Scott Frennier, Investigator; Karen LaFond, Operations Administrator; Margaret Vincent, AAG; Megan Campbell, AAG; Kassandra Diederich, AAG; Bill Reynolds, AAG; George Belcher, Esq.

**2. Approval of the Minutes of the January 8 and January 22, 2020 Board Meetings:**

Mr. Heald moved to accept the minutes of the January 8 and January 22, 2020 meeting. Mr. LeCours seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

**3. Board Issues (Dr. Bernstein):**

Dr. Bernstein noted his interest in the legislative report on professional licensing that proposes to move the Board and its administrative office to OPR. He stated that he views this as a priority for discussion in addition to H. 438, which also relates to rules related to BMP operations and how disciplinary actions are reported.

Another topic of discussion is regarding a request of a board member to attend a local conference and to be reimbursed by the Board. Dr. Bernstein and Mr. Herlihy discussed the request and have approved it, but wanted to acknowledge that there is currently no guiding policy for these types of business transactions. Until a policy can be established, these requests will be considered by Dr. Bernstein and Mr. Herlihy when received.

Dr. Bernstein acknowledged that the legislative season frequently adds to lengthy discussions at the monthly meetings and proposed formation of a subcommittee to review and prepare Board positions on legislative issues that would be reported back to the full Board. He is seeking to offer a solution that would expedite the meeting discussions while also allowing for meaningful review of the important legislative issues for the Board.

#### **4. Administrative Updates (Mr. Herlihy):**

Mr. Herlihy provided a brief summary of the recent license and certification renewals for Physician Assistants, Anesthesiologist Assistants and Radiologist Assistants:

PAs: starting 431; ending 355: loss of 76, which is approximately 17%

AAs: starting 19; ending 19

AAs 2<sup>nd</sup> site: starting 9; ending 8

RAs: starting 1; ending 1

Mr. Herlihy stated Ms. LaFond will do some analysis of the PA licenses that lapsed and will report back at the next meeting. He stated that at first glance, there were several who simply retired. Also, a number were related to the change in the contractor for emergency services at Springfield Hospital.

Mr. Herlihy shared that the Board has issued 5 new physician licenses through the Interstate Medical Licensure Compact (IMLCC), which went into effect January 1, 2020. He added that the licenses are issued by staff pursuant to the law and that the monthly notification that will be provided to members is for notice only and not for approval.

#### **5. Presentation of Applications:**

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. IMLCC licenses that have been processed in accordance with 26 V.S.A. § 1420e.

After the Board took up the matter of Kristin Lanpher, PA-C noted in the Hearing portion of the meeting, Dr. Sexton made a motion to approve Ms. Lanpher for Physician Assistant Licensure. Mr. Hoser seconded the motion. The motion passed; opposed: none; abstained: none; recused: none.

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

- **In re: Joseph L. Brock, MD – MPS 089-0818 – Stipulation and Consent Order**

Ms. Diederich addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Dr. Clattenburg made a motion to approve the Stipulation and Consent Order. Mr. LeCours seconded the motion. The motion passed; opposed: none; abstained: none; recused: 1 and South Investigative Committee.

- **In re: Kirsten Lanpher, PA-C – Licensing Matter – Stipulation and Consent Order**

Ms. Vincent addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Ms. Rosenstreich made a motion to approve the Stipulation and Consent Order. Dr. Tandoh seconded the motion. The motion passed; opposed: none; abstained: none; recused: none.

- **In re: John M. Severinghaus, MD – MPN 135-0916 – Stipulation and Consent Order**

Ms. Diederich addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Dr. Clattenburg made a motion to approve the Stipulation and Consent Order. Mr. Hoser seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee.

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

Dr. Hildebrant made a motion at 1:19 PM to return to Open Session. Dr. Sexton seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Hildebrant made a motion at 1:41 PM to return to Executive Session to discuss confidential matters related to investigations. Dr. Clattenburg seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

Dr. Hildebrant made a motion at 1:49 PM to return to Open Session. Mr. Hoser seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

MPN 136-0919 – Special Letter #1; Dr. Hildebrant recused

Dr. Sexton made a motion to close the cases presented. Dr. Payne seconded the motion. The motion passed; opposed: none; abstained: none; recused: 1 and North Investigative Committee.

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

MPC 102-0616 – Special Letter #1

MPC 165-1119 – Special Letter #1

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

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

MPS 102-0619 – Special Letter #1

MPS 004-0118 – Letter #1; Dr. Payne recused  
MPS 045-0415 – Special Letter #3  
MPS 088-0818 – Special Letter #2  
MPS 159-1019 – Special Letter #1  
MPS 049-0419 – Special Letter #2  
MPS 184-1219 – Special Letter #1

Dr. Sexton 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.

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

None

## 10. Other Business

- Mr. Herlihy spoke briefly about a company that has previously sent information to licensees about Continuing Medical Education (CME) requirements for physician license renewal that misled a number of licensees in some prior renewal cycles. In those prior cycles the Board responded with a notice to licensees advising that the Board does not mandate any particular CME course. The company recently contacted him and shared a mailing that they plan to send to licensees in advance of the upcoming MD license renewal cycle at the end of 2020. He is corresponding with the company and will encourage them to use language that does not mislead licensees. If staff learns of concerning messaging that may be misleading, licensees will be warned as in the past. For now, members are reminded that there is no specific required course so that everyone is prepared to respond if anyone asks about this.
- Mr. Herlihy began a discussion of the Legislative Report: *Regulatory Assessment: State Regulation of the Occupations and Professions*. The portions most relevant to the Board are the introduction and general topics at pages 1-13 and the discussion of Health Department licensing programs at pages 28-31. The report proposed to move BMP to OPR. The report was prepared in response to a bill passed last year. The “study” was based on a meeting held in Montpelier in November and the update of a previous survey that collected data about various board operations across state government. In addition to calling for the Board to move from VDH to OPR, the report noted that it would make sense to have a unified board for MDs and DOs. The report acknowledged that a combined board could be part of VDH and touched on the idea of regulation of healthcare professions being under one authority. Mr. Herlihy sought member input about these proposals and Dr. Bernstein asked members if they believed there was value in staying at the Health Department.

Members stated there was value in the Board residing at the Health Department because of the public health mission and the Board’s mission of public protection. Members discussed potential value of all medical professions moving under the Health Department to further support public health.

Dr. Bernstein asked members if they wished to make a formal motion to show consensus as discussion of this issue proceeds. Dr. Clattenburg moved to support the Board of Medical Practice remaining with the Health Department. Dr. Liebow seconded the motion. During discussion of the motion it was proposed to add that the Board would welcome the addition of professions that engage in the practice of medicine. While members expressed support for that idea, it was decided to keep to the simple statement of support for staying in VDH.

Dr. Bernstein called for a vote of the motion. The motion passed; opposed: none; recused: none; abstained: Ms. Rosenstreich.

Dr. Bernstein suggested the next steps to include formation of a subcommittee of members to review legislative issues. Mr. Evans and Ms. Rosentreich stated they wished to participate on the committee and Mr. Herlihy stated he would send out an email to the full board requesting participation of the medical professional members.

The Board did not discuss the other legislative reports and bills noted on the agenda.

- The Board did not discuss the continuation of the January agenda item to use Board educational funds to support member attendance at FSMB conference.

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

- **February 13, 2020, North Investigative Committee Meeting, 9:00AM, Vermont Department of health, 108 Cherry Street, Conference Room 2C, Burlington, VT**
- **February 14, 2020, Central Investigative Committee, 9:00AM, Central Vermont Medical Center, Berlin, VT**
- **February 19, 2020, Board meeting on pending applications, 12:10PM, Board of Medical Practice office, 108 Cherry Street, 2<sup>nd</sup> Floor, Burlington, VT (*and via telephone*)**
- **February 19, 2020, South Investigative Committee Meeting, 12:00PM, Asa Bloomer State Office Building, 4<sup>th</sup> Floor, Room #492, Rutland, VT**
- **March 4, 2020, Licensing Committee Meeting, 11:00AM, Gifford Medical Center, Red Clover Conference Room, Randolph, VT**
- **March 4, 2020, Board Meeting, 12:00PM, Gifford Medical Center, Red Clover Conference Room, Randolph, VT**

**12. Open Forum:**

None

**13. Adjourn:**

Dr. Bernstein declared the meeting adjourned at 3:15 p.m.

**Attachments: Appendix A**

## APPENDIX A

### Presentation of Applications

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

Gordon Ahlers, MD	Jillian Barney, PA-C	Allison Brandt, MD
Gaurav Chawla, MD	Patricia Combs, MD	Lisa Downing-Forget, MD
Alex P. Graham, MD	Jennifer Gutierrez, MD	Amit Kubal, MD
Griffin Latulippe, PA-C	Robert Lout, MD	Clifford Muneses, MD
Eric Nilles, MD	Amy Olsen, MD	Angela Papassavas, MD
Gerald Portman, MD	Steven Prenzlauer, MD	Kalpit Shah, MD
Bassel Shneker, MD	Archana Siddalingappa, MD	Rod Silverman, MD
David Veltre, MD	Matthew Warden, MD	

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

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

Reynold Andika, MD	Christopher Bush, MD	Tabitha Ford, MD
Mithun Neral, MD	Vivekanand Tiwari, MD	Heidi Walls, MD
Cheng Zhou, MD		

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

**IMLCC licenses that have been processed in accordance with 26 V.S.A. § 1420e**

Narendra Garg, MD	Samir Khanjar, MD	Vijay Maggio, MD
Galen Maze-Rothstein, MD	Linda Purdy, MD	