

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the April 1, 2020 Board Meeting
*****REMOTE CONFERENCE CALL*****

Approved

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

Richard Bernstein, MD, Chair, called the meeting to order at 12:04 PM

Members Present via Phone:

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

Others in Attendance via Phone:

David Herlihy, Executive Director; Paula Nenninger, Investigator; Scott Frennier, Investigator; Karen LaFond, Operations Administrator; Margaret Vincent, AAG; Megan Campbell, AAG; Kassandra Diederich, AAG; George Belcher, Esq; Brad Salzmann, PA-C; Jessa Barnard, Vermont Medical Society; Shireen Hart, Esq.; Stephen Phipps, MD.

2. Approval of the Minutes of the March 4 and March 18, 2020 Board Meetings:

Mr. LeCours moved to accept the minutes of the March 4 and March 18, 2020 meetings. Ms. Rosenstreich seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

3. Board Issues (Dr. Bernstein):

Dr Bernstein wished to acknowledge his appreciation for the Board staff who have kept all of the Board and investigative committee meetings operational during this time and the medical professionals on the Board who continue to work in the field.

4. Administrative Updates (Mr. Herlihy):

Mr. Herlihy echoed the appreciation expressed by Dr. Bernstein and acknowledged the Board staff who continue to operate remotely.

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.

6. Other Business:

- **COVID-19 Response:** Mr. Herlihy reviewed information uploaded to the Board's webpage regarding the emergency authorities in the new law that provide for

professionals who are licensed and in good standing in other states to become temporarily licensed in Vermont by either being deemed or by obtaining an emergency license. He also explained that some former licensees who no longer hold a license anywhere may be able to be deemed licensed or to obtain an emergency license. The law also gave authority to the Board or the Executive Director to waive documentation requirements for PA supervision. Mr. Herlihy notified members that he had issued an order waiving documentation for all new PA practice situations during the state of emergency declared for the COVID-19 pandemic.

- **Outlook for all other legislation:** Mr. Herlihy noted that the General Assembly will continue to have meetings remotely and plans to continue the legislation that is already in progress. The bill related to the Board statute passed in the House and may continue to the Senate. He will keep the members updated.

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

- **In re: Stephen J. Phipps, MD – Petition for Relief from Conditions – MPS 051-0518**

Ms. Hart, Dr. Phipps and Ms. Diederich addressed the Board, summarizing the facts leading up to the Petition for Relief from Conditions and the Proposed Order. Dr. Phipps provided a statement to the board and members posed questions, to which Ms. Hart, Dr. Phipps and Ms. Diederich were responsive.

Mr. LeCours made a motion to accept the recommendation of the South Investigative Committee to grant reinstatement of Dr. Phipps's medical license with the condition that Dr. Phipps remain in good standing with his Vermont taxes. Dr. Payne seconded the motion.

Ms. LaFond recorded the roll-call vote: The motion passed; Yeas: Dr. Bernstein, Dr. Sproul, Dr. Burgee, Dr. Clattenburg, Mr. Evans, Mr. LeCours, Ms. McClain, Dr. Payne, Dr. Tandoh; Opposed: none; Abstained: Ms. Rosenstreich; Recused: Dr. Sexton and South Investigative Committee.

Dr. Sproul made a motion to accept the Proposed Order; Mr. LeCours seconded the motion.

Ms. LaFond recorded the roll-call vote: The motion passed; Yeas: Dr. Bernstein, Dr. Sproul, Dr. Burgee, Dr. Clattenburg, Mr. Evans, Mr. LeCours, Ms. McClain, Dr. Payne, Dr. Tandoh; Opposed: none; Abstained: Ms. Rosenstreich; Recused: Dr. Sexton and South Investigative Committee.

8. Reconvene meeting; Executive Session to Discuss:

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

Mr. LeCours made a motion at 1:29PM to go into Executive Session to discuss confidential matters related to investigations. Mr. Hoser 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:

Mr. LeCours made a motion at 2:37PM 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 160-1017 – Special Letter #2
MPN 183-1219 – Special Letter #1
MPN 003-0120 – Letter #1; Mr. Hoser recused
MPN 157-1019 – Special Letter #1; Mr. Hoser recused
MPN 154-1019 – Special Letter #1; Mr. Hoser recused
MPN 174-1219 – Letter #1
MPN 156-1019 – Special Letter #1; Mr. Hoser recused

Ms. Hunter made a motion to close the cases presented. Dr. Liebow 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 162-1119 – Special Letter #1; Dr. Bernstein recused
MPC 186-1219 – Special Letter #1
MPC 181-1219 – Letter #1

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

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

MPS 170-1119 – 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: South Investigative Committee.

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

None

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

- **April 9, 2020, North Investigative Committee Meeting, 9:00AM, ***Remote Participation via Conference Call*****

- **April 10, 2020, Central Investigative Committee, 9:00AM, ***Remote Participation via Conference Call*****
- **April 15, 2020, Board meeting on pending applications, 12:10PM, ***Remote Participation via Conference Call*****
- **April 15, 2020, South Investigative Committee Meeting, 12:00PM, ***Remote Participation via Conference Call*****
- **May 6, 2020, Licensing Committee Meeting, 11:00AM, TBD**
- **May 6, 2020, Board Meeting, 12:00PM, TBD**

12. Adjourn: Dr. Bernstein declared the meeting adjourned at 2:48PM.

APPENDIX A

Presentation of Applications

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

Kenneth Adelman, MD	Sagheer Ahmed, MD	Nathan Barnett, PA-C
Lyla Blake-Gumbs, MD	Stacy Boyd, MD	Keith Cauley, MD
Larry Consenstein, MD	Christine Finn, MD	Tabitha Ford, MD
Thatcher Friant, PA-C	Matthew Kelley, MD	Kristin Kindred, DPM
Jennifer Kujack, MD	Jose Leon, MD	Daniel McKinney, MD
John O'Shea, PA-C	Jorge Otero, MD	Chris Rokkas, MD
Dacelin St. Martin, MD		

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

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

Widian Alshwaily, MD	Shreya Amin, MD	Rahul Anil, MD
Asad Anwar, MD	Julien Beattie-Lanoue, MD	Nathan Bombardier, MD
Binnie Desai, MD	Juan Flores, MD	Syed Hassan, MD
Amara Heard, MD	Sabeeda Kadavath, MD	Colby Kearl, MD
Anand Muthu Krishnan, MD	John O'Laughlin, MD	Vijay Sekar, MD
Toishi Sharma, MD	Stacy Shen, MD	Mustafa Siddique, MD

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