

**Vermont Board of Medical Practice
Minutes of the April 7, 2010 Board Meeting
Gifford Medical Center, Randolph, Vermont**

“Approved – May 5, 2010”

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

Patricia A. King, M.D., Chair, called the meeting to order at 12:11 p.m.

Members Present:

Patricia A. King, M.D.; William K. Hoser, PA-C (participated by phone from 1:37 p.m. to 2:49 p.m.); David W. Clauss, M.D.; Michael Drew, M.D.; Hon. David A. Jenkins; Joshua A. Plavin, M.D. (arrived at 12:40 p.m.); Harvey S. Reich, M.D.; Robert R. Rinaldi, DPM; Janice E. Ryan, RSM; Toby Sadkin, M.D.; Lori Tarrant; Peter Thomashow, M.D.; John B. Webber, Esq.; Florence Young.

Others in Attendance:

William E. Wargo, Director; Philip Ciotti, Investigator; Roberta Downes, Licensing Administrator; Paula Nenninger, Investigator; Bessie Weiss, Assistant Attorney General; Margaret Vincent, Assistant Attorney General; Terry Lovelace, Assistant Attorney General; Marjorie Power, Presiding Officer (joined meeting at approximately 1:03 p.m.); Clifford Singer, M.D.; Shireen T. Hart, Esq., Primmer, Piper, Eggleston & Cramer P.C. (representing Judith Carpenter, PA-C and Grace Cottage Hospital); Judith Carpenter, PA-C; Mary Morgan, VP Quality & Patient Safety, Grace Cottage Hospital.

2. Public Comments:

None

3. Approval of the Minutes of the March 3 and March 17, 2010 Board Meetings:

Dr. Rinaldi made a motion to accept the minutes of the March 3, 2010 Board meeting. Dr. Drew seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Sr. Ryan made a motion to accept the minutes of the March 17, 2010 Board meeting. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

4. Board Matters (Dr. King):

Dr. King introduced and welcomed Ms. Tarrant to the Board.

Ms. Tarrant gave a brief description of her background.

Dr. King thanked Dr. Sadkin for becoming the Chair of the North Committee, and Dr. Drew for becoming the Chair of the Licensing Committee.

Dr. King introduced Dr. Plavin, who gave a brief description of his background and how and why he decided to be on the Board.

5. Administrative Update (Mr. Wargo):

Mr. Wargo informed the Board members of the following list of presenter and topics:

- **May 5, 2010:** Martha E. Csala, Assistant Attorney General, on HIPAA (Health Insurance Portability and Privacy Act).
- **June 2, 2010:** Bessie Weiss, Assistant Attorney General, on Vermont's Open Meeting Law
- **July 7, 2010:** Dena Monahan, General Counsel, DAIL, on the Americans with Disabilities Act (ADA).

Mr. Wargo asked Board members to contact him with any other areas of interest for presentations.

Dr. King commented that the above mentioned presentations would be good learning tools for Board members, especially for those just coming on the Board.

6. Presentation of Applications:

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

7. Presentation to the Board:

None

8. Recess; Convene Hearing (Ms. Power):

Ms. Power convened a hearing to consider adjudicative matters before the Board (approximately 1:04 p.m. – 1:33 p.m.).

- In re: Clifford Singer, M.D. – MPS 97-0809 - Stipulation and Consent Order
Brought forth by and presented by Ms. Vincent.

Dr. Singer addressed the Board in person.

Deliberative session:

In: 1:17 p.m.
Out: 1:22 p.m.

Dr. Clauss made a motion to grant the Stipulation and Consent Order as written. Sr. Ryan seconded the motion. The motion passed, opposed: none; recused: South Investigative Committee (Dr. Reich, Dr. Plavin, Dr. Drew and Mr. Webber), Dr. Thomashow; abstained: none.

- In re: Charles E. Clark, Jr., M.D. – MPN 50-0408 – Stipulation and Consent Order
Brought forth by and presented by Mr. Lovelace.

Hon. D. Jenkins made a motion to grant the Stipulation and Consent Order. Mr. Webber seconded the motion. The motion passed, opposed: none; recused: North Investigative Committee (Dr. King, Sr. Ryan, Dr. Sadkin and Ms. Tarrant); abstained: none.

- In re: James M. Napier, M.D. – MPN 163-1208 – Cessation of Practice
Brought forth by and presented by Ms. Vincent.

Dr. Thomashow made a motion to grant the Cessation of Practice. Mr. Webber seconded the motion. The motion passed, opposed: none; recused: North Investigative Committee (Dr. King, Sr. Ryan, Dr. Sadkin and Ms. Tarrant); abstained: none.

9. Executive Session to Discuss Investigative Matters:

Sr. Ryan made a motion at 12:36 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Thomashow seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Return to open session: 12:58 p.m.

Sr. Ryan made a motion at 2:51 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Return to open session: 3:02 p.m.

10. Open Session

South Investigative Committee, asked to close:

MPS 10-0110 – Letter #1

Dr. Clauss made a motion to close the case presented. Dr. Rinaldi seconded the motion. The motion passed, opposed: none; abstained: none; recused: South Committee (Dr. Reich, Dr. Plavin, Mr. Webber and Dr. Drew).

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

MPC 133-1209 - Letter #1
MPC 11-0210 – Letter #1

MPC 8-0110 – Letter #1
MPC 12-0210 – Letter #1

Sr. Ryan made a motion to close the cases presented. Dr. Plavin seconded the motion. The motion passed, opposed: none; abstained: none; recused: Central Committee (Dr. Clauss, Hon. David Jenkins, Dr. Rinaldi, Dr. Thomashow and Ms. Young).

Dr. King, North Investigative Committee, asked to close:

MPN 124-1109 – Letter #1
MPN 32-0309 – Special Letter #2
MPN 9-0110 – Special Letter #1
MPN 5-0110 – Letter #1

MPN 78-0609 – Letter #1
MPN 15-0210 – Letter #1
MPN 57-0609 – Special Letter #2

Dr. Rinaldi made a motion to close the cases presented. Dr. Plavin seconded the motion. The motion passed, opposed: none; abstained: none; recused: North Committee (Dr. King, Sr. Ryan, Dr. Sadkin and Ms. Tarrant); MPN 15-0210, MPN 124-1109, & MPN 57-0609 – Dr. Reich.

11. Board Actions on Committee Recommendations With Regard to Any Non-confidential Matters:

None

12. Other Business:

In re: Judith Carpenter, PA-C – MPN 21- 0210 – Petition for Retroactive Validation of Renewal Certificate

Brought forth by and presented by Ms. Hart, legal representative for Ms. Carpenter and Grace Cottage.

Ms. Weiss gave a brief introduction as to the circumstance regarding this petition for retroactive validation of renewal certificate. Ms. Weiss advised the Board that this was not a disciplinary action; it was a petition to the Board for consideration.

Guidelines dated August 3, 2005, approved by the Board, and minutes from the July 6, 2005 Board meeting were distributed to the Board and legal counsel.

This matter was being conducted in open session and was recorded.

Ms. Hart distributed to the Board a copy of 3 V.S.A. § 814. *Licenses*, and a copy of the 2010 physician assistant certification renewal application and instructions.

Ms. Hart presented additional points to the Board regarding this petition.

Ms. Carpenter answered questions from Board members.

Board members discussed the matter before them regarding the petition for retroactive validation of renewal certificate.

Dr. Clauss made a motion is to accept the petition for retroactive validation of renewal certificate as written. Dr. Thomashow seconded the motion. Motion did not pass. Seven in favor and seven opposed.

Dr. Drew made a motion to table the discussion until the next Board meeting. Mr. Webber seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

This portion was not recorded because discussion had been tabled then restarted before recorder could be turned back on.

Hon. D. Jenkins made a motion to reconsider the petition and it was seconded by Dr. Thomashow. The motion was withdrawn by Hon. D. Jenkins after further discussion.

Ms. Weiss was asked to inform Ms. Hart that the motion did not pass, and that Ms. Hart could request that the Board reconsider Ms. Carpenter's petition for retroactive validation of renewal certificate.

Re: The Board of Medical Practice current interview process:

The issue of medical professional Board members interviewing applicants that will be working at their practice and/or facility was raised before the Board. This issue will be further discussed at a later date.

13. Next meetings:

Upcoming meetings: (Locations are subject to change, you will be notified if a change takes place.)

- **May 5, 2010**, Licensing Committee meeting, 10:30 a.m. Gifford Medical Center, Randolph
- **May 5, 2010**, Board meeting, 12:00 p.m. Gifford Medical Center, Randolph

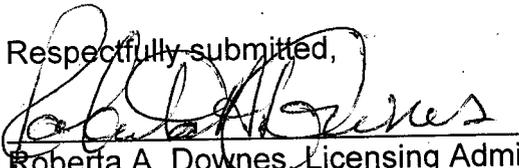
- **May 13, 2010, North Investigative Committee Meeting, 12 p.m., 108 Cherry Street, 3rd Floor, Conference Room 3B, Burlington.**
- **May 14, 2010, Central Investigative Committee Meeting, Liquor Control Conference Room, Basement Floor, 13 Green Mountain Drive, Montpelier.**
- **May 19, 2010, Board meeting on pending applications, 12:10 p.m., teleconference meeting, with public access at the Board of Medical Practice office, Burlington Square Mall, 101 Cherry Street, 3rd Floor, Burlington.**
- **May 19, 2010, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer Building, 4th Floor, Room #492, 88 Merchants Row, Rutland.**

14. Adjournment

Sr. Ryan made a motion to adjourn. Dr. Reich seconded the motion. The vote was all in favor, opposed: none, recused: none; abstained: none.

Meeting adjourned at 3:35 p.m.

Respectfully submitted,


Roberta A. Downes, Licensing Administrator I

Attachments: Appendix A

Appendix A

Presentation of Applications (Recommendations were in the form of motions by the member making the recommendation)

Dr. Clauss reported on an interview conducted with:

Michael Korczykowski, PA-C

Recommended by Dr. Clauss for physician assistant certification. Seconded by Dr. Reich, passed, opposed: none, recused: none.

Hon. D. Jenkins reported on an interview conducted by Dr. Drew with:

Rebecca Goodman, M.D.

Recommended by Hon. D. Jenkins for physician licensure. Seconded by Dr. Thomashow, passed, opposed: none, recused: none; abstained: none.

Hon. D. Jenkins reported on an interview conducted by Dr. Drew with:

Leah Hartenstein, PA-C

Recommended by Hon. D. Jenkins for physician assistant certification. Seconded by Thomashow, passed, opposed: none, recused: none.

Dr. King reported on an interview conducted by Mr. Hoser with:

George Brothers, PA-C

Recommended by Dr. King for physician assistant certification. Seconded by Dr. Reich, passed, opposed: none, recused: none.

Dr. King moved for the issuance of a secondary certification for:

H. Jeffrey Katchen, PA-C

Recommended Dr. King for secondary physician assistant certification. Seconded by Dr. Reich, passed, opposed: none, recused: none.

Dr. King reported on an interview conducted with:

Jesse Ritvo, M.D.

Recommended by Dr. King for physician licensure. Seconded by Dr. Reich, passed, opposed: none, recused: none; abstained: none.

Dr. King moved for the issuance of a limited temporary license for:

Manasi Joshi, M.D.

Recommended by Dr. King for limited temporary physician licensure. Seconded by Dr. Reich, passed, opposed: none, recused: none; abstained: none.

Dr. Plavin reported on an interview conducted with:

Brian Silverman, M.D.

Recommended by Dr. Plavin for physician licensure. Seconded by Dr. Reich, passed, opposed: none, recused: none; abstained: none.

Dr. Rinaldi reported on interviews conducted with:

Laurie Abrams, M.D.
Gerald Riley, M.D.

Dena Miller, M.D.

Daniel Peraza, M.D.

Recommended by Dr. Rinaldi for physician licensure. Seconded by Dr. Reich, passed, opposed: none, recused: none; abstained: none.

Dr. Thomashow reported on an interview conducted with:

Sharona Sachs, M.D.

Recommended by Dr. Thomashow for physician licensure. Seconded by Dr. Rinaldi, passed, opposed: none, recused: none; abstained: none.