

**Vermont Board of Medical Practice
Minutes of the January 2, 2008 Meeting
Gifford Medical Center, Randolph, Vermont**

Approved

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

Dr. Clauss, Chair of the Board, called the meeting to order at 12:16 p.m.

Members Present:

David W. Clauss, MD; Ezekiel S. Cross; Patricia A. King, MD, PhD; Margaret Martin; John J. Murray, MD; Harvey S. Reich, MD; Katherine A. Silta, PA-C; Peter Thomashow, MD; John Webber, Esq

Others in Attendance:

James Arisman, Assistant Attorney General; Philip Ciotti, Investigator; Phil Cykon, Presiding Officer; Roberta Downes, Licensing Administrator; Dixie Henry, Assistant Attorney General; Tracy Hayes, Administrative Assistant; John Howland, Jr, Director; Paula Nenninger, Investigator; Margaret Vincent, Assistant Attorney General; Paul Harrington, Executive Vice President, Vermont Medical Society

2. Public Comment

None

3. Approval of the Minutes of the December 5 and 19, 2007 Board Meetings

Mr. Cross made a motion to accept the minutes of the December 5, 2007 Board meetings. Ms. Martin seconded the motion. The motion passed, opposed: none; abstained:

Dr. Murray made a motion to accept the minutes of the December 19, 2007 Board meetings. Dr. Reich seconded the motion. The motion passed, opposed: none; abstained:

4. Board Matters (Dr. Clauss)

Several applicants have been interviewed for the position of Executive Director and recommendations have been made to the Governor. Decision should be made this week.

The annual meeting of the Federation of State Medical Boards is May 1-3, 2008. Dr. Clauss is unable to attend the meeting this year and is looking for someone to go as a delegate of the board. If you would like to attend please let Dr. Clauss know.

5. Administrative Update (Mr. Howland)

A recommendation will be coming from the Licensing Committee regarding practitioners who have been out of practice for a period of time.

Also, today is Election Day. This will take place later on today.

6. Dr. Murray gave an update on the APRN/Act 71 Study Committee.

On removing collaborative agreement. There have been 4 meetings to date on this matter. And there has been considerable discussion on this. APRN's feel they can improve care without a collaborative agreement. There are several concerns and opinions regarding this topic. The study committee as it exists could not come up with a common statement. That is why two statements were circulated to the board. Handouts from Dr. Murray are included with the file copy of these minutes

Paul Harrington, Executive Vice President of the Vermont Medical Society, indicated that the VMS had not taken a formal position on the issue of eliminating the existing requirement for an Advanced Practice Registered Nurse to have a signed practice agreement with a physician. He stated that once the APRN taskforce had completed its report, he anticipated that the VMS would review the complete document and develop a policy statement.

Dr. Murray would like to know if this is something on which the Board would like to take a position. The Secretary of State's Office and the Commissioner's office drafted the statement. Three physicians have opposed the draft. Dr. Harrington and Dr. Murray both feel that the MPB needs to take a position on this matter.

Can we get the opinion from the UVM Family Practice Department? Dr. Murray has discussed this with the head of that department.

The final report will be voted on at the January 9th meeting.

- The MPB could say something like:
- A period of supervision or further training would be necessary.
- Degree of ability to practice medicine with the limited amount of training.
- If people are out independently, what is the scope for prescribing purposes?
- If you are going to practice medicine independently in the State of Vermont, should this be under the supervision of the MPB.

- The Board has serious concerns on this matter

Dr. Murray made a motion that he will draft a statement of the Board with Dr. Clauss signing as the Chair of the Board and will have Tracy distribute this statement by email at which time Board members will cast their vote and a final decision made. Dr. Reich seconded the motion. The motion passed, opposed: none; abstained: none

Presentation of applications

See Appendix A.

7. Recess; Convene Hearing (Mr. Cykon)

None

8. Break 1:35

Meeting resumed 1:54 pm

9. Executive Session to Discuss Investigative Matters

Dr. King made a motion at 1:56 p.m to go into Executive Session to discuss confidential matters related to investigations. Ms. Silta seconded the motion. The motion passed, opposed: none; abstained: none.

11. Open Session

Open session resumed at 2:41 p.m.

Dr. Cahill, South Investigative Committee, moved to close

MPS 111-0707

MPS 137-1007

MPS129-0907

MPS 157-1107

MPS 86-0507

MPS 112-0707

MPS 171-1107

MPS 126-0907

MPS 170-1107

Seconded: Dr. Murray. Passed, opposed: none. Abstained: Dr. King MPS 137-1007, Dr. Clauss MPS 126-0907

Dr. Murray, Central Investigative Committee, moved to close

MPC 119-0807

MPC 154-1107

MPC 109-0707

MPC 153-1107

MPC 155-1107

Seconded: Mr. Webber. Passed, opposed: none. Abstained: None

Dr. King, North Investigative Committee, moved to close

MPN 97-0607

MPN 99-0607

MPN 168-1107

MPN 144-1007

Seconded: Dr. Murray. Passed, opposed: none. Abstained: Dr. Thomashow MPN 144-1007

10. Nominating Committee

The nominating committee represented by Dr. Murray recommends the following Board members for appointment:

Board Chair- Dr. David Clauss

Vice Chair- Dr. Patricia King

Secretary- Ms. Margaret Martin

Mr. Webber made a motion to elect these members for appointment. Mr. Cross seconded the motion. The motion passed, opposed: none; abstained; none

11. Withdrawal of licensing applications.

Dr. King made a motion to allow withdrawal of the applications for Robert Graziano, MD and William Tiemann, MD.

Seconded by Dr. Murray. The motion passed, opposed: none; abstained; none

The Licensing Committee will be working on a policy statement for requirements for re-entering practice after being out for an extended amount of time. We would like to put a similar policy on our website. The AGO will draft a policy and then it will be brought before the Board for approval.

We would like to review and revamp the initial and renewal physician applications by May. If anyone wants to be involved with this, please let Tracy know.

Dr. Reich would like it known that he would like to receive things electronically to save paper, as we live in a "green" state. Dr. Clauss also agrees with this.

12. Next meetings

Upcoming meetings

- February 6, 2008, Licensing Committee meeting, 10:30 a.m. Gifford Medical Center, Randolph
- February 6, 2008, Board meeting, 12:00 p.m. Gifford Medical Center, Randolph
- February 8, 2008, North Investigative Committee Meeting, 12 p.m., Stanley Hall, State office Complex, Waterbury
- February 15, 2008, Central Investigative Committee Meeting, 12 p.m, Pavilion Building 4th Floor Conference Room, Montpelier
- February 20, 2008, Board meeting on pending applications, 12:10 p.m., teleconference meeting, with public access at the Board offices, 101 Cherry Street, Burlington
- February 20, 2008, South Investigative Committee Meeting, 12:20 p.m., Asa Bloomer Building, Rutland

13. Any Other Business

14. Adjournment

Dr. Murray made a motion to adjourn. Dr. Thomashow seconded the motion. The vote was all in favor, opposed: none, abstained: none.

Adjourned at 2:53 p.m.

Respectfully submitted,


Tracy Hayes, Administrative Assistant

Attachments

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
John Labert, AA
Recommended for anesthesiologist assistant certification
Seconded by Dr. Murray, passed, opposed: none, abstained: none

Dr. Davignon reported on interviews conducted with
Alfred Barber, MD
Recommended for physician licensure
Gary Moelich, AA
Recommended for anesthesiologist assistant certification
Seconded by Dr. Murray, passed, opposed: none, abstained: none

Dr. Murray reported on interviews conducted with
Rebecca Jones, MD
Yao Kaw, MD
Recommended for physician licensure
Seconded by Dr. King, passed, opposed: none, abstained: none

Dr. Thomashow reported on an interview conducted with
Jennifer McLaren, MD
Recommended for physician licensure
Seconded by Dr. Murray, passed, opposed: none, abstained: none

Ms. Silta reported on interviews conducted with
Thomas Beauregard, PA-C
Kimberley Schmitt, PA-C
MaryAnn O'Bierne, PA-C
Recommended for physician assistant certification
Seconded by Dr. Thomashow, passed, opposed: none, abstained: none

Dr. Clauss moved on limited temporary licenses for
Veena Chawla, MD
John Hatzenbeuhler, MD
Seconded by Dr. Murray, passed, opposed: none, abstained: none