

**Vermont Board of Medical Practice
Minutes of the January 5, 2011 Board Meeting
Gifford Medical Center, Randolph, Vermont**

Approved

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

Patricia A. King, M.D., Chair, called the meeting to order at 12:15 p.m.

Members Present:

Patricia A. King, M.D.; William K. Hoser, PA-C; Margaret F. Martin; Janice M. Gallant, M.D.; Robert G. Hayward, M.D.; Eileen M. Illuzzi; Hon. David A. Jenkins; Joshua A. Plavin, M.D.; Harvey S. Reich, MD; Robert R. Rinaldi, D.P.M; Janice E. Ryan, RSM; Toby Sadkin, M.D.; William H. Stouch, M.D; Peter Thomashow, MD; John B. Webber, Esq.

Others in Attendance:

David Herlihy, Esq., Executive Director; Robert Simpson, Esq, Presiding Officer; Donald Swartz M.D., Medical Director, Vermont Department of Health; Philip Ciotti, Investigator; Paula Nennering, Investigator; Margaret Vincent, Assistant Attorney General; Karen LaFond, Licensing Administrator; Terry Lovelace, Assistant Attorney General; Paul Harrington, Executive Vice President, Vermont Medical Society.

2. Public Comments: None

3. Approval of the Minutes of the December 1 and December 15, 2010 Board Meetings:

Dr. Stouch made a motion to accept the minutes of the December 1, 2010 Board meeting. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Dr. Stouch made a motion to accept the minutes of the December 15, 2010 Board meeting. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

4. Board Matters (Dr. King):

Dr. King welcomed David Herlihy, our new Executive Director and Robert Simpson, our new Presiding Officer. Dr. King also expressed her gratitude on-behalf of the Board to Don Swartz for all of his effort and dedication during his temporary assignment as the Acting Executive Director.

5. Administrative Update (Mr. Herlihy):

Mr. Herlihy updated the Board on the implementation of the new on-line licensing system, CAVU, and stated the "go-live" date is slated for Mid-May. The process is

currently ahead of schedule and there are no issues at this time. He also informed the Board that the office would be moving from 101 Cherry Street to 108 Cherry Street, 2nd floor, by the end of April. The Vermont Department of Health is consolidating all divisions into one building so the MPB will be relocated. Finally, he welcomed Robert Simpson, the new Presiding Officer.

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 (Mr. Simpson):

Mr. Simpson convened a hearing to consider adjudicative matters before the Board.

- In re: Karen Preis, MD – MPS 135-1108, MPS 46-0409, MPS 42-0410, MPS 55-0610 – Stipulation and Consent Order

Brought forth by and presented by Mr. Lovelace.

Hon. Jenkins made a motion to approve the Stipulation and Consent Order for Karen Preis, MD. Sr. Ryan seconded the motion. The motion passed, opposed: none; recused: Dr. Stouch and Dr. Rinaldi rescused, abstained: none.

9. Executive Session to Discuss Investigative Matters:

Hon. Jenkins made a motion at 12:52 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Hayward seconded the motion. The motion passed, opposed: none; recused: none.

Return to open session: 1:36

10. Open Session:

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

MPS 14-1110 – Special #1
MPS 141-1110 – Special #1

MPS 68-0810 – Special #2
MPS 11-1008 – Special #1

Dr. Hayward made a motion to close the cases presented. Dr. Stouch seconded the motion. The motion passed, opposed: none; abstained: none; recused: South Investigative Committee.

Hon. Jenkins, Central Investigative Committee, asked to close:

MPC 88-0810 – Special #1

Ms. Illuzi made a motion to close the cases presented. Dr. Reich seconded the motion. The motion passed, opposed: none; abstained: none; recused: Central Investigative Committee.

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

MPN 73-0810 – Special #2

Dr. Reich made a motion to close the cases presented. Hon. Jenkins seconded the motion. The motion passed, opposed: none; abstained: none; recused: North Investigative Committee.

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

None

12. Any Other Business: Review of proposed statute changes:

Margaret Vincent informed the committee of the outcome of her recent meeting on January 4, 2011 with the Vermont Medical Society (VMS) and the Vermont Association of Hospitals and Hospital Systems (VAHHS) regarding the proposed changes in the statute. She advised that there were a few areas that both the VMS and VAHHS wished to hold off until the 2012 legislative session, which she would highlight as we reviewed the document. Dr. Rinaldi asked whether or not the Physician Assistant (PA) section could be separated out, so as not to continue to hold up their approval process since that section has been completed. Ms. Vincent stated that it was possible, but she would have to investigate that further.

The remainder of the discussion focused on sections in the statute:

1313

1314

1317

1354 (5), (26), (32)

1354 (32)(b), (34), (35), (36), (38)

*Special request to hold off on section (38). VMS needs more time to review.

1355

1354 (33)

1391

1400 (b) & (d)

1396 (4)

Dr. Rinaldi proposed to discuss the statute in greater length in a separate meeting due to the late hour and weather considerations. Dr. King agreed. The board proposed to modify the

next meeting of the North Committee to be held on Thursday, January 13 in Burlington to include continuation of the statute review discussion. The board agreed.

13. Next meetings:

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

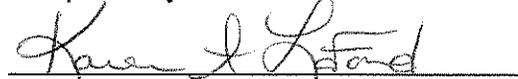
- **January 13, 2011**, Special Board Meeting: Statute Review, 12 p.m., 108 Cherry Street, 3rd Floor, Conference Room 3B, Burlington, VT.
- **January 14, 2011**, Central Investigative Committee Meeting, Liquor Control Conference Room, Basement Floor, 13 Green Mountain Drive, Montpelier, VT.
- **January 19, 2011** Board meeting on pending applications, 12:10 p.m., Tele-conference meeting, with public access at the Board of Medical Practice office, Burlington Square Mall, 101 Cherry Street, 3rd Floor, Burlington, VT.
- **January 19, 2011**, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer Building, 4th Floor, Room #492, 88 Merchants Row, Rutland, V.T.
- **February 2, 2011**, Monthly Medical Board Meeting, 12:00 p.m., Gifford Medical Center, Randolph, Vermont.

14. Adjournment

Dr. Hayward made a motion to adjourn. Member Illuzzi seconded the motion. The vote was all in favor, opposed: none, recused: none; abstained: none.

Meeting adjourned at 3:42 p.m.

Respectfully submitted,



Karen A. LaFond, Licensing Administrator

Attachments: Appendix A

Appendix A

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

Dr. Drew reported on interviews conducted with:

Maria McIntire, MD
Arash Radfar, MD

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

Dr. Hayward reported on an interview conducted with:

Crystal Twynham, MD

Recommended by Dr. Hayward for physician licensure. Seconded by Hon. Jenkins, passed, opposed: none; recused: none; Abstained: none

Mr. Hoser reported on interviews conducted with:

Mary Ellen Copenig, PA-C
Jamie Zipsir, PA-C

Candis Cousins, PA-C

Recommended by Mr. Hoser for physician assistant certification. Seconded by Dr. Plavin, passed, opposed: none, recused: none; abstained: none.

Dr. Plavin reported on interviews conducted with:

Matthew Freeman, MD
Virginia McDougall, MD

Timothy Lishnak, MD

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

Dr. Rinaldi reported on an interview conducted with:

Phyllis Greenwald, MD
Myung Nam, MD

David Kuwayama, MD

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

Dr. King moved for the issuance of limited temporary licenses for:

Vanessa Lichon, MD
John Wilson, MD

Cristine Maloney, MD

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