

**Vermont Board of Medical Practice
Minutes of the March 1, 2006 Meeting
Gifford Medical Center, Randolph, Vermont**

Approved

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

James D. Cahill, Chair of the Board, called the meeting to order at 12:15 p.m., at Gifford Medical Center, Randolph, Vermont.

Members Present:

James D. Cahill, MD; David W. Clauss, MD; Ezekiel S. Cross; Patricia A. King, MD, PhD; Margaret F. Martin; John J. Murray, MD; Sharon L. Nicol; Alexander Northern; Toby Sadkin, MD; Katherine A. Silta, PA-C; Peter Thomashow, MD; John B. Webber, Esq.; Florence Young

Others in Attendance:

James Arisman, Esq., Assistant Attorney General; Phil Ciotti, Investigator; Phil Cykon, Presiding Officer; Paula DiStabile, Executive Director; Peggy Langlais, Administrative Supervisor; Joseph Winn, Esq., Assistant Attorney General

2. Public Comment

None.

3. Approval of the Minutes of the February 1 and 15, 2006 Board Meetings

Ms. Martin made a motion to accept the minutes of February 1 and 15, 2006. Dr. King seconded the motion. The motion passed, opposed: none, abstained: none

4. Board Matters

Mr. Cykon mentioned that there is a Board hearing scheduled for 3 p.m. today, In re: David S. Chase, MD, Docket No. MPC 15-0203, et al. on Respondent's Renewed Motion to Dismiss Superceding Specification of Charges. He said that a six-member panel of the Board would be hearing the motion. Mr. Cykon said that the hearing is open to the public, but that it is not one that would involve public participation. Mr. Cykon suggested that Board members not respond to inquiries about any pending case and that they refer any inquiries from the media or others to Board staff.

Dr. Cahill said that the Executive Committee had discussed and is contemplating having a Board retreat. He asked Board members to provide their preferences

as to days and times they would be available, as well as issues specific to a board retreat that folks may want to talk about.

Dr. Cahill reminded members to use the Reference Guide for Investigative Committee Assignments for case analysis in their investigative committee work.

Dr. Cahill said that the Chair of the Board of Osteopathic Physicians and Surgeons had called to discuss pending legislation. He said that there is legislation related to educational requirements for performing high impact low amplitude manipulations. Dr. Cahill said that he was not sure that the Board of Medical Practice should take a position.

5. Administrative Update (Ms. DiStabile)

Ms. DiStabile reminded Board members that she was waiting for feedback related to the draft opening and closing letters previously distributed. She said that she would like to finalize them and get them back to the Board for final approval.

Ms. DiStabile said there is pending legislation related to licensing and the military. She said that the legislation appears to be an attempt to alleviate concerns regarding licensees who are in combat and may not be able to timely fulfill licensing renewal requirements.

Discussion

- How big an issue is this?
- Are we sure that it is an issue for us?
- Is it an OPR bill?
- What committee is it is? One of the Government Operations committees?

A question was also raised about the status of the prescription drug database legislation.

Ms. DiStabile will research and send an update to Board members.

Dr. Cahill said that the Executive Committee meeting scheduled for later in the day is cancelled.

6. Presentation of applications

See Appendix A

7. Recess; Convene Hearing (Mr. Cykon)

Mr. Cykon convened a hearing to consider a matter before the Board at 12:29 p.m.

In re Gulnaz Cowder MPN 131-0905, et al, Cessation of Practice Agreement

Dr. Murray made a motion to accept the Cessation of Practice Agreement. Dr. Clauss seconded the motion. The vote was all in favor. Opposed: none. Abstained: North Investigative Committee.

8. Executive Session

Mr. Webber made a motion to go into executive session to discuss investigative matters. Ms. Silta seconded the motion. The vote was all in favor, opposed: none, abstained: none.

Executive session began at 12:34 p.m.

9. Return to Open Session

Dr. King made a motion to return to open session. The motion was seconded Mr. Cross. The vote was all in favor, opposed: none, abstained: none.

Open session: 1:48 p.m.

Dr. King, North Investigative Committee, moved to close
MPN 117-0805
MPN 142-0905
MPN 08-0106
MPN 139-0905

Seconded: Ms. Nicol. Passed, opposed: none.

Ms. Silta, South Investigative Committee, moved to close
MPS 168-1104
MPS 167-1104
MPS 149-1005
MPS 09-0106
MPS 196-1205
MPS 146-1004
MPS 175-1105
MPS 190-1205

Seconded: Dr. Thomashow. Passed, opposed: none.

Dr. Clauss, Central Investigative Committee, moved to close
MPC 193-1205
MPC 177-1205

Seconded: Dr. King. Passed, opposed: none.

10. Any Other Business

Next meetings

Upcoming meetings

- April 13, 2006, North Investigative Committee Meeting, 12 p.m., Vermont State College, Waterbury
- April 14, 2006, Central Investigative Committee Meeting, 12 p.m., Montpelier
- April 19, 2006, Board meeting on pending applications, 12:10 p.m., Board Office, 101 Cherry Street, Burlington, (and via telephone)
- April 19, 2006, South Investigative Committee Meeting, 12 p.m., Asa Bloomer Building, Rutland

11. Next Regular Board meetings May 3, 2006, 12 p.m., Gifford Hospital, Randolph, Vermont, May 17, 2006, 12:10 p.m., teleconference meeting, with public access at the Board offices, 101 Cherry Street, Burlington, Vermont

12. Adjournment

The motion to adjourn the meeting was made by Dr. Murray, seconded by Dr. King. The vote was all in favor, opposed: none, abstained: none. The meeting adjourned at 1:52 p.m.

Respectfully submitted,



Peggy Langlais, Administrative Supervisor
Attachments

Presentation of Applications

Dr. King reported on interviews with
Katherine Tobin, MD
Lon Howard, MD

Recommended for physician licensure
Seconded by Ms. Martin, passed, opposed: none, abstained: none

Dr. Sadkin reported on an interview with
Daniel Sommers, MD

Recommended for physician licensure
Seconded by Dr. Clauss, passed, opposed: none, abstained: none

Dr. Murray reported on interviews with
Mitchell Tsai, MD
Gregory McCormick, MD

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

Dr. Clauss reported on an interview with
Mary Kay Wolfson, MD

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

Ms. Silta reported on an interview Dr. Guerrero conducted with
Russell Maiese, MD

Recommended for physician licensure
Seconded by Mr. Cross, passed, opposed: none, abstained: none

Ms. Silta reported on interviews with
Robert Mitchell, PA
Leah Villemaire, PA

Recommended for physician assistant certification
Seconded by Dr. Thomashow, passed, opposed: none, abstained: none

Dr. Cahill reported on an interview with
Adam Schwarz, MD

Recommended for physician licensure
Seconded by Mr. Cross, passed, opposed: none, abstained: none

Dr. Cahill moved on a Limited Temporary License approval
Julie Johnston, MD
Seema Kothari, MD

Recommended for Limited Temporary License
Seconded: Dr. Murray, passed, opposed: none, abstained: none