

**Vermont Board of Medical Practice  
Minutes of the October 6, 2010 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; Michael Drew, M.D.; Robert G. Hayward, M.D.; Eileen M. Illuzzi; Hon. David A. Jenkins; Joshua A. Plavin, M.D.; Janice Ryan, RSM; Toby Sadkin, M.D.; William H. Stouch, M.D.; Peter Thomashow M.D.; John B. Webber, Esq.; Florence Young.

**Others in Attendance:**

Donald Swartz M.D., Interim Executive Director; Philip Ciotti, Investigator; Paula Nenninger, Investigator; Margaret Vincent, Assistant Attorney General; Tracy Hayes, Program Technician; Terry Lovelace, Assistant Attorney General; Henry Koltys, Assistant Attorney General; Dixie Henry, Deputy Commissioner; Marjorie Power, Presiding Officer.

**2. Public Comments:**

None

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

Dr. Drew made a motion to accept the minutes of the September 1, 2010 Board meeting. Mr. Webber seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Ms. Martin made a motion to accept the minutes of the September 15, 2010 Board meeting. Mr. Hoser seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

**4. Board Matters (Dr. King):**

Dr. King welcomed Dr. Donald Swartz and Deputy Commissioner Dixie Henry to the Board meeting.

**5. Administrative Update (Dr. Swartz and Dixie Henry):**

Ms. Henry extended her thanks to everyone for meeting with herself and Dr. Swartz over the last month. They felt this was very productive and informative. Overall, the feedback from the committees was very positive. It helped to see what needs to change and what is working during this transition period. The Board is looking for guidelines regarding policies and procedures. There is an old policy and procedure manual and this will be reviewed and updated. The Board is very fortunate to have many long standing members and staff, which bring a lot of institutional memory with them. We need a mechanism for preserving this information.

One area that was discussed was the roles of the Assistant Attorneys General Office. Effective immediately Margaret Vincent, Health Department General Council will advise the Board and the Licensing Committee. Terry Lovelace and Henry Koltys will serve as prosecuting attorneys and will advise the Investigative Committees, and Marjorie Powers will be the presiding officer for board hearings.

The Licensing Administrator position recruitment has closed and we have about 50 candidates. Dr. Swartz will be reviewing the applications and interviews will begin shortly.

The contract for the presiding officer will be up for renewal at the end of December, and a request for bids will be posted very soon. The intent is to have two presiding officers under contract.

The recruitment for an Executive Director has also begun.

Some Board members have requested that we use more electronic means to share information and secure ways of doing this are being looked into.

The statutes governing the Board are in need of updating, and revisions are being developed by Ms. Vincent. Areas needing change include examples of unprofessional conduct, allowing additional categories of licensure, and internet prescribing. After the statutory changes are made the rules will need to be updated to conform. Proposed statute changes will be on the agenda for the November Board meeting.

The Board of Nursing is developing rules regulating Advance Practice Registers Nurses (APRNs). Mr. Webber expressed concern about APRNs being regulated by the Nursing Board and not the Medical Board. Ms. Martin feels that at least some of the APRN rules should be in statute instead of in rule form. The Board will work with the Vermont Medical Society to review the rules. Dr. Swartz recommended that the executive committee review the APRN rules when the new version is released and then report to the full Board.

Work in the office is going forward without pause. Thanks to staff for doing a great job of working with the vacancies. This shows the willingness of our staff to step up in difficult times. Dr. Swartz will be speaking with Dr. King regarding ways to modify the

practices in the office and then this information will be shared with the Board for feedback.

Mr. Hoser will speak with John Bond regarding the proposed PA changes and make sure that they get them to the Board in time to be reviewed.

**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:**

James Heal, Grace Cottage Hospital Director of Pharmacy, and Maurice Geurts MD., presented a proposed medical order continuation policy to the Board. The Board heard the presentation but took no action, noting that the Board does not offer advisory opinions.

**Break:** In: 1:55 p.m.  
Out: 2:03 p.m.

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

Atty Power convened a hearing to consider adjudicative matters before the Board (approximately 2:05 p.m. – 2:25 p.m.).

- In re: David D., Aronson, M.D. – MPS 134-0905 – Petition to remove conditions of licensure

Brought forth by and presented by Mr. Lovelace.

Dr. Hayward made a motion to remove the conditions the Dr. Aronson's license. Dr. Stouch seconded the motion. The motion passed, opposed: none; recused: South Committee, abstained: none.

**9. Executive Session to Discuss Investigative Matters:**

Mr. Webber made a motion at 1:48 p.m. to go into Executive Session to discuss confidential matters related to investigations. Mr. Hoser seconded the motion. The motion passed, opposed: none; recused: none.

Return to open session: 1:52 p.m.

Dr. King brought forth the issue of Ms. Henry being allowed to sit in on this portion of the meeting, in which confidential cases are being discussed.

Atty. Vincent said that the Board may decide who may be present while the Board is in an executive session.

Mr. Webber made a motion to allow Ms. Henry to sit in on this period of executive session. Dr. Hayward seconded. The motion passes, opposed: Ms. Ryan, Judge Jenkins, Margaret Martin; recused: none.

Mr. Webber made a motion at 2:05 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Drew seconded the motion. The motion passed, opposed: none; recused: none.

Return to open session: 3:22

**10. Open Session:**

**Margaret Martin, South Investigative Committee, asked to close:**

MPS 88-0808 – Special Letter #1	MPS 84-0810 – Letter #1
MPS 58-0610 - Special Letter #1	MPS 7-0110 – Special Letter #1
MPS 71-0810 - Letter #1	MPS 69-0810 – Special Letter #1

Ms. Ryan made a motion to close the cases presented. Dr. Hayward seconded the motion. The motion passed, opposed: none; abstained: none; recused: South Investigative Committee, Dr. King (MPS 71-0810)

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

MPC 76-0810 - Special Letter #1

Dr. Drew made a motion to close the cases presented. Dr. Plavin seconded the motion. The motion passed, opposed: none; abstained: none; recused: Central Investigative Committee, Dr. Sadkin.

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

MPN 75-0810 – Letter #1	MPN 74-0810– Letter #1
MPN 67-0810 - Letter #1	

Mr. Hoser made a motion to close the cases presented. Ms. Young 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:**

None

**13. Next meetings:**

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

- **November 3, 2010**, Licensing Committee meeting, 10:00 a.m. Gifford Medical Center, Randolph, VT.
- **November 3, 2010**, Board meeting, 12:00 p.m. Gifford Medical Center, Randolph, VT.
- **November 12, 2010**, North Investigative Committee Meeting, 12 p.m., 108 Cherry Street, 3<sup>rd</sup> Floor, Conference Room 3B, Burlington, VT.
- **November 17, 2010**, 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, 3<sup>rd</sup> Floor, Burlington, VT.
- **November 17, 2010**, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer Building, 4<sup>th</sup> Floor, Room #492, 88 Merchants Row, Rutland, VT
- **November 18, 2010**, Central Investigative Committee Meeting, Liquor Control Conference Room, Basement Floor, 13 Green Mountain Drive, Montpelier, VT.

**14. Adjournment**

Dr. Drew made a motion to adjourn. Mr. Webber seconded the motion. The vote was all in favor, opposed: none, recused: none; abstained: none.

Meeting adjourned at 3:24 p.m.

Respectfully submitted,

  
Tracy Hayes, Program Technician

**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 an interview conducted with:**

Akino Yamashita, M.D.

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

**Dr. Hayward reported on interviews conducted with:**

Ghazwan Acash M.D.      Marion Couch M. D.      Stephen Fischer Jr. M.D.  
Jodi Forward M.D.      Joachim Mueller M.D.

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

**Mr. Hoser reported on interviews conducted with:**

Robert Feinberg, PA-C      Zach Zipsir, PA-C

Recommended by Mr. Hoser for physician licensure. Seconded by Ms. Martin, passed, opposed: none, recused: none; abstained: none.

**Mr. Hoser moved for the issuance of additional certifications for:**

Michele Lareau, PA-C      Cynthia Vail, PA-C      Leah Villemaire, PA-C

Recommended by Mr. Hoser for secondary physician assistant certification. Seconded by Ms. Martin, passed, opposed: none, recused: none; abstained: none.

**Dr. King reported on an interview conducted with:**

Charlotte Brody, M.D.

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

**Dr. King reported on interviews Dr. Reich conducted with:**

Robert Blake, M.D.      Thomas Hewitt, M.D.      Douglas Kim, M.D.

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

**Dr. King reported on an interview Dr. Rinaldi conducted with:**

Fred Van Natta, M.D.

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

**Dr. Plavin reported on interviews conducted with:**

Richard Altman, M.D.      Dorthea DeGutis, M.D.      Wesley Johnson, M.D.

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

**Dr. Rinaldi reported on interviews conducted with:**

Matthew Aney, M.D.      William Bissell, M.D.      Michael Cooper, M.D.

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

**Dr. Stouch reported on interviews conducted with:**

Dmitriy Akselrod, M.D.      Renju Raj, M.D.

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

**Dr. Thomashow reported on an interview conducted with:**

Jennifer Krawitt, M.D.

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