

**Vermont Board of Medical Practice
Minutes of the May 2, 2012 Board Meeting
Gifford Medical Center, Randolph, VT**

Approved

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

Patricia King, MD, Chair, called the meeting to order at 12:20.

Members Present:

Hon. David A. Jenkins; Harvey Reich, MD; Carol A. Diamond (via phone); John Webber, Esq.; Robert Rinaldi, DPM; William K. Hoser, PA-C; Janice M. Gallant, MD; Robert G. Hayward, MD; Joshua Plavin, MD; Florence Young.

Others in Attendance:

David Herlihy, Executive Director; Paula Nenninger, Investigator; Philip Ciotti, Investigator; Karen LaFond, Licensing Administrator; Kurt Kuehl, AAG; Margaret Vincent, AAG; Robert McDougall, AAG.

2. Public Comment:

None

3. Approval of Minutes of the April 4 and April 18, 2012 Board Meetings:

Dr. Hayward moved to accept the minutes of the April 4, 2012 meeting. Dr. Rinaldi seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Mr. Webber made a motion to accept the minutes of the April 18, 2012 meeting. Mr. Hoser seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

4. Board Issues (Dr. King):

Dr. King provided highlights of the Federation of State Medical Boards (FSMB) Annual Conference that she and Mr. Herlihy attended in April. She stated that next year the conference will be held in Boston, MA and she will look into whether or not more board members could attend.

Three of the major topics at the conference included Technology, Licensing and Regulation. Issues raised during the technology discussions were around the new generation of IT and Apps for transmission of medical information. There was talk about "telementoring", where IT tools would be used for telemedicine, teaching and assisting other practitioners, or conducting virtual rounds, helping surgeries or residency extension. This led to the licensing discussions because of the implications of using IT in these capacities raise a multitude of concerns. The

changes in innovations are seeking to ensure proficiency in the field of practice, but at the same time they may lead to changes in licensing requirements and definitions of unprofessional conduct. Other licensing sub-discussions focused on re-entry guidelines from the FSMB, maintenance of licensure and workforce analysis. A question was posed from one of the board members asking if there was talk about "national" licensure. Dr. King stated that there was talk about that possibility and there are now special interest groups seeking to push the concept further, such as telemedicine companies, electronic transmission companies and hospitals. The Maine Medical Board presented a proposal to have a special transferrable license with a quicker review tract, but there were a lot of concerns and questions posed about how individual states would maintain control over the process.

This led to discussions about the topic of Regulation and there was a lot of focus on the narcotics and controlled substance issue. Prescription drug abuse is the leading cause of accidental deaths and the issue of "pill mills" came up in discussion. There is also new information about the long-term risks that will trump the benefits of prescribing narcotics.

Dr. King stated that she would make the resources available from the conference.

5. Administrative Update (Mr. Herlihy):

Mr. Herlihy provided an update on the status of the hiring process of the Administrative Assistant A position that it is still underway and we hope to have someone hired by the next board meeting.

Mr. Herlihy stated that the responses to the Vermont Practitioner Recovery Program (VPRP) were due on 4/27/12 and we received 1. The next step will be to negotiate the contract and he welcomed any feedback from board members for services provided via this contract.

Mr. Herlihy also advised that the licensing section of CAVU remains flawed and the company is trying to fix it.

6. Presentation of Applications (12:30 p.m. – 12:45p.m.):

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 (12:45p.m. – 1:45 p.m.):

None

8. Recess; Convene Hearing to discuss any stipulations or disciplinary matters that are before the Board (1:45 p.m. – 2:15 p.m.): (Mr. Simpson)

None

9. Reconvene Meeting; Executive Session to Discuss:
a. Investigative cases recommended for closure
b. Other matters that are confidential by law, if any

Mr. Webber made a motion at 1:00 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; abstained: none.

10. Return to Open Session; Board Actions on Matters Discussed in Executive Session:

Dr. Gallant made a motion at 1:33 to return to open session. Dr. Reich seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

11. Board Actions on Committee Recommendations with Regard to any Non-confidential Matters:

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

MPS 99-0711 – Letter #1
MPS 22-0212 – Letter #1
MPS 48-0312 – Letter #1
MPS 49-0312 – Letter #1
MPS 32-0312 – Letter #1
MPS 2-0112 – Letter #1

Dr. Hayward made a motion to close the cases presented. Dr. Gallant seconded the motion. The motion passed, opposed: none; abstained: none; recused: 1.

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

MPC 27-0212 – Letter #1
MPC 26-0211 – Special Letter #1

Dr. Plavin made a motion to close the cases presented. Dr. Reich seconded the motion. The motion passed, opposed: none; abstained: none; recused: none.

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

MPN 155-1210 – Special Letter #2.

Mr. Hoser made a motion to close the cases presented. Dr. Hayward seconded the motion. The motion passed, opposed: none; abstained: none; recused: none.

12. Other Business:

None

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

- **May 10, 2012, North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 3rd Floor, Conference Room 3B, Burlington, VT**
- **May 11, 2012, Central Investigative Committee Meeting, 12 p.m., The Pavilion, 4th Floor Conference Room, 109 State Street, Montpelier, VT**
- **May 16, 2012, Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2nd, Floor Burlington, VT (and via telephone)**
- **May 16, 2012, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **June 6, 2012, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **June 6, 2012, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

14. Adjournment:

Mr. Webber made a motion to adjourn. Dr. Reich seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Meeting adjourned at 1:42 p.m.

Attachments: Appendix A

Respectfully submitted,



Karen LaFond
Licensing Administrator

Appendix A

Presentation of Applications

Dr. King moved for the issuance of licenses for:

Kevin Berman, MD	Katherine Clemente, PA-C	Greta Daun, MD
Sherif Emil, MD	Daniel Huber, MD	Kevni Kerin, MD
James Lyons, Jr., MD	Gregoria Marrero, MD	Robert McGlynn, MD
Nathaniel Nelms, MD	Sholeen Nett, MD	Malcolm Paine, MD
Erin Primiano, PA-C	Jonathan Shapiro, MD	William Wood, MD

Recommended by Dr. Hayward for licensure. Seconded by Dr. Reich. The motion passed; opposed: none; recused: none; abstained.

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

Winston Chung, MD-LTL	Courtney Cox, MD-LTL	Markus Degrimenci, MD-LTL
Brady Didion, MD-LTL	Andrew Erb, MD-LTL	Lincoln Heath, MD-LTL
Yongli Ji, MD-LTL	Vivek Kalai, MD-LTL	Benjamin King, MD-LTL
Vanessa Lichon, MD-LTL	Kevin Lein, MD-LTL	Max Lopez, MD-LTL
Megan Malgeri, MD-LTL	Rachel McEntee, MD-LTL	Colleen Moran, MD-LTL
Ian O'Neill, MD-LTL	Thomas Patlak, MD-LTL	Sara Pawlowski, MD-LTL
John Randles, MD-LTL	Patrick Sandiford, MD-LTL	Thomas Schmidt, MD-LTL
Mark Shwayder, MD-LTL	Ryan, Smith, MD-LTL	Andrea Steely, MD-LTL
Scott Wasilko, MD-LTL	James Wolf, MD-LTL	Julien Wonderlick, MD-LTL

Recommended by Dr. Reich for limited temporary physician licensure. Seconded by Mr. Hoser. The motion passed; opposed: none; recused: none; abstained: none.