

**Vermont Board of Medical Practice
Minutes of the January 7, 2009 Board Meeting
Gifford Medical Center, Randolph, Vermont**

(By conference call and Gifford Medical Center, Randolph)

“Approved - February 4, 2009”

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

David W. Clauss, MD, Chair, called the meeting to order at 12:15 p.m.

Members Present:

David W. Clauss, MD; Margaret F. Martin; James D. Cahill, MD; William K. Hoser, PA-C; Hon. David A. Jenkins; John J. Murray, MD; Sharon L. Nicol; Robert R. Rinaldi, DPM; Janice E. Ryan, RSM; Toby Sadkin, MD; William H. Stouch, MD; Peter Thomashow, MD; John B. Webber, Esq.; Patricia A. King, MD (joined meeting at approximately 1:45 p.m.);

Others in Attendance:

William E. Wargo, Director; Philip Ciotti, Investigator; Roberta Downes, Licensing Administrator; Paula Nenninger, Investigator; James Arisman, Assistant Attorney General; Marjorie Power, Legal Counsel and Presiding Officer (joined meeting at approximately 1:03 p.m. for hearing); Dixie Henry, Assistant Attorney General; Margaret Vincent, Assistant Attorney General; S. Crocker Bennett, II, Esq..

2. Approval of the Minutes of the December 3 and 17, 2008 Board Meetings:

Sr. Ryan made a motion to accept the minutes of the December 3, 2008 Board meeting. Dr. Rinaldi seconded the motion. The motion passed, opposed: none; recused:

Dr. Stouch made a motion to accept the minutes of the December 17, 2008 Board meeting. Dr. Murray seconded the motion. The motion passed, opposed: none; recused: none.

3. Board Matters (Dr. Clauss):

Dr. Clauss stated that it was time again to elect Board Officers and people should feel free to apply. The Nominating Committee members are Dr. Murray, Ms. Martin and Ms. Nicol.

Dr. Clauss informed the Board that the Federation of State Medical Boards' annual meeting will be held on April 30th – May 2nd. If someone is interested in going and wanted the position of voting delegate let Dr. Clauss know.

4. Administrative Update (Mr. Wargo):

Mr. Wargo informed the Board that Julie Green had joined the Board of Medical Practice administrative staff, filling Lauren West's vacant position.

5. S. Crocker Bennett, II, Esq. on behalf of Dr. Riley Elliott, came before the Board to request a letter of support in asking the Legislature to add a paragraph to Section 721 of Title 26, which defines the practice of dentistry.

Mr. Bennett is requesting letters of support from both the Vermont Board of Medical Practice and the Board of Dental Examiners stating that they are comfortable with the proposed amendment.

Ms. Nicol stated two concerns she had:

- The Board being involved in a dental decision.
- Conflict of interest with Board members who are involved with Fletcher Allen Health Care (FAHC).

Mr. Bennett stated that he was Dr. Elliott's private attorney, and FAHC is not the one pushing for this change.

Dr. Clauss said he supported the request, that he has not been influenced in any way, nor will he receive any type of financial gain because of his support.

Dr. Murray stated he supported the request. Dr. Murray also added that he does not know Dr. Elliott, nor will he receive any type of financial gain because of his support.

Ms. Martin asked if the letter could go out under someone else's name.

Ms. Henry stated that Board members can recuse themselves from voting on a decision and the letter could come from the Mr. Wargo, Director of the Board.

Dr. Rinaldi made a motion that a letter of support for the proposed amendment to Title 26 be drafted and sent by Mr. Wargo. Sr. Ryan seconded the motion. The motion passed, opposed: none; recused: Dr. Clauss and Dr. Murray.

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.

Break: 12:57 p.m.

Return: 1:03 p.m.

7. Recess; Convene Hearing (Ms. Power):

Ms. Power convened a hearing to consider adjudicative matters before the Board.

In re: David L. Robbins, MD - MPN 1-0103 – State's Response to Respondent's Petition for Relief from Conditions of Licensure.

Brought forth by and presented by Mr. Arisman

Dr. Clauss made a motion to grant the petition, referring to the State's Response to Respondent's Petition for Relief from Conditions of Licensure. Dr. Murray seconded the motion. The motion passed; opposed: none; recused: North Committee (Ms. Nicol, Sr. Ryan, Dr. Sadkin and Dr. Stouch).

8. Executive Session to Discuss Investigative Matters

Dr. Murray made a motion at 1:15 p.m. to go into Executive Session to discuss confidential matters related to investigations. Sr. Ryan seconded the motion. The motion passed, opposed: none; recused: none.

9. Open Session

Return to open session: 2:17 p.m.

The South Investigative Committee had to re-close case MPS 01-0105.

Dr. Clauss made a motion to re-close the case presented. Hon. Jenkins seconded the motion. The motion passed, opposed: none; recused: South Committee (Mr. Hoser, Ms. Martin, Dr. Cahill, Dr. Rinaldi and Mr. Webber) and Dr. Murray.

The Central Investigative Committee had no cases to close.

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

MPN 61-0508
MPN 37-0308

MPN 120-1008
MPN 96-0607

MPN 116-1008
MPN 114-1008

Dr. Cahill made a motion to close the cases presented. Hon. Jenkins seconded the motion. The motion passed, opposed: none; recused: North Committee (Dr. King, Ms. Nicol, Sr. Ryan, Dr. Sadkin and Dr. Stouch); MPN 96-0607 – Dr. Rinaldi.

10. Any Other Business:

11. Next meetings:

Upcoming meetings:

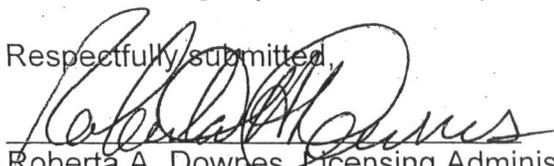
- **February 4, 2009**, Licensing Committee meeting, 10:30 a.m. Gifford Medical Center, Randolph
- **February 4, 2009**, Board meeting, 12:00 p.m. Gifford Medical Center, Randolph
- **February 12, 2009**, North Investigative Committee Meeting, 12 p.m., Water Supply Conference Room #039, Old Pantry Building, State office Complex, Waterbury
- **February 13, 2009**, Central Investigative Committee Meeting, 12 p.m, Liquor Control Conference Room, 13 Green Mountain Drive, Montpelier
- **February 18, 2009**, Board meeting on pending applications, 1:10 p.m., teleconference meeting, with public access at the Board offices, 101 Cherry Street, Burlington
- **February 18, 2009**, South Investigative Committee Meeting, 1:00 p.m., Asa Bloomer Building, 88 Merchants Row, Rutland

12. Adjournment

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

Meeting adjourned at 2:22 p.m.

Respectfully submitted,



Roberta A. Downes, Licensing Administrator

Attachments:

Appendix A

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

Dr. Clauss reported on interviews conducted with

George Boush, MD Bernard Kosto, MD Kyle Nielson, MD

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

Dr. Clauss moved for the issuance of a limited temporary license for

Matthew Thompson, MD

Seconded by Dr. Murray, passed, opposed: none, recused: none

Mr. Hoser reported on interviews conducted with

Edward Durling, PA-C Justin Sacripante, PA-C Regina Springer, PA-C

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

Dr. Murray reported on interviews conducted with

Vinson Uytana, MD Beth Vermont, MD Jill Warrington, MD

Recommended by Dr. Murray for physician licensure
Seconded by Sr. Ryan, passed, opposed: none, recused: none

Dr. Thomashow reported on an interview conducted with

Louis Sussman, MD

Recommended by Dr. Thomashow for physician licensure
Seconded by Dr. Stouch, passed, opposed: none, recused: none