

**Vermont Board of Medical Practice  
Minutes of the September 2, 2009 Board Meeting  
Gifford Medical Center, Randolph, Vermont**

**“Approved – October 7, 2009”**

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

David W. Clauss, M.D., Chair, called the meeting to order at 12:21 p.m.

**Members Present:**

David W. Clauss, M.D.; Patricia A. King, M.D.; Margaret F. Martin; James D. Cahill, M.D.; Hon. David A. Jenkins; John J. Murray, M.D.; Sharon L. Nicol; Harvey S. Reich, M.D.; Robert R. Rinaldi, DPM; Sr. Janice Ryan; William H. Stouch, M.D.; Peter Thomashow, M.D.; John B. Webber, Esq.; Florence Young.

**Others in Attendance:**

William E. Wargo, Director; Philip Ciotti, Investigator; Roberta Downes, Licensing Administrator; Paula Nennering, Investigator; James Arisman, Assistant Attorney General; Bessie Weiss, Assistant Attorney General; Marjorie Power, Presiding Officer (joined meeting at approximately 12:30 p.m.); Anne Doremus, Chair of the Connecticut Medical Board; Gilbert J. Fanciullo, M.D., Director, Section of Pain Medicine, Dartmouth-Hitchcock Medical Center; Donna Brewer, Legal Director, Connecticut Department of Public Health.

**2. Public Comments:**

None

**3. Approval of the Minutes of the August 5 and 19, 2009 Board Meetings:**

Mr. Webber made a motion to accept the minutes of the August 5, 2009 Board meeting. Dr. Murray seconded the motion. The motion passed, opposed: none; recused: none; abstained: Ms. Martin.

Dr. Cahill made a motion to accept the minutes of the August 19, 2009 Board meeting. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

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

Dr. Clauss introduced Anne Doremus, Chair of the Connecticut Medical Board, and Donna Brewer, Legal Director for the Connecticut Department of Public Health.

Dr. Clauss informed Board members of a conference coming up on October 28, 29 and 30, 2009, which is designed for public members of the Boards. If Board members would like more information contact him.

Dr. Clauss informed the Board that the Vermont Supreme Court upheld the Board's decision regarding Dr. David Chase.

Dr. Clauss informed the Board that Mary Botter, Executive Director for the Vermont Board of Nursing, will be attending next month's meeting.

Dr. Clauss informed the Board that Mr. Arisman was making a career change and would be leaving the Board.

**5. Administrative Update (Mr. Wargo):**

Mr. Wargo introduced guest presenter, Gilbert J. Fanciullo, M.D., Director, Section of Pain Medicine, at Dartmouth-Hitchcock Medical Center (DHMC).

Mr. Wargo informed the Board of the upcoming hearing regarding Dr. Mitchell R. Miller. The hearing will be held on September 3, 2009 at the Vermont Supreme Court at 1:30 p.m.

Mr. Wargo informed the Board that the Laser Study Committee was meeting on September 21, 2009 from 10:00 a.m. until noon, and he will report back to the Board next month.

Mr. Wargo informed the Board that the University of Vermont, College of Medicine medical students are working once again with the Board office. Their current project with the Board is to work on gathering information needed for the report due to the legislators in January of 2010, regarding palliative care and pain management.

**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:

### Gilbert J. Fanciullo, M.D., Director, Section of Pain Medicine:

Dr. Fanciullo presented information to the Board regarding opioids being used for pain management.

Some points of interest were:

- Risk of using opioids for pain management.
- Ways of making the use of opioids safer.
- Issues around treating patients with opioids.

Dr. Fanciullo handed out the following materials to Board members and guests:

- DHMC Opioid for Chronic Nonterminal Pain (CNTN) Policy for Clinicians
- Dartmouth-Hitchcock Medical Center Adult Chronic Opioid Therapy Pain Management Plan

Dr. Fanciullo informed the Board about the Risk Evaluation and Mitigation (REM) Strategies. To use two specific drugs under REM a physician must:

1. Pass an online course.
2. Sign an affidavit he/she will only prescribe these drugs to patients with cancer.

Dr. Fanciullo also spoke about risk benefits analysis with a patient. The physician explains to the patient why he/she may not be prescribing a certain drug for the patient.

Dr. Fanciullo defined chronic pain as pain that lasts longer than normal tissue healing.

## 8. Executive Session to Discuss Investigative Matters:

Dr. Murray made a motion at 2:23 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: none.

Return to open session: 2:50 p.m.

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

Ms. Power convened a hearing to consider adjudicative matters before the Board (approximately 1:50 p.m.).

**In re: J. Arthur Gleiner, M.D. – Stipulation and Agreement**

Dr. Gleiner is requesting to have his physician license reinstated after being out of clinical practice since 1998.

Mr. Webber made a motion to grant the Stipulation and Agreement regarding Dr. Gleiner. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: Licensing Committee (Dr. Clauss, Dr. King, Ms. Martin, Dr. Murray, Ms. Nicol and Dr. Stouch); abstained: Dr. Thomashow.

**Break:** 2:07 p.m.

**Return:** 2:23 p.m.

**10. Open Session**

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

MPS 82-0709      MPS 89-0709

Dr. King made a motion to close the cases presented. Sr. Ryan seconded the motion. The motion passed, opposed: none; recused: South Committee (Dr. Cahill, Ms. Martin, Dr. Reich, and Mr. Webber), Dr. Murray – MPS 82-0709 and MPS 89-0709, Dr. Clauss – MPS 82-0709; abstained: none.

**Dr. Murray, Central Investigative Committee, asked to close:**

MPC 63-0609      MPC 139-1208

Dr. King made a motion to close the cases presented. Dr. Reich seconded the motion. The motion passed, opposed: none; recused: Central Committee (Dr. Clauss, Hon. David Jenkins, Dr. Murray, Dr. Rinaldi, Dr. Thomashow and Ms. Young), Dr. Stouch – MPC 63-0609; abstained: none.

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

MPN 79-0709      MPN 40-0409      MPN 50-0509      MPN 81-0709

Dr. Reich made a motion to close the cases presented. Dr. Murray seconded the motion. The motion passed, opposed: none; abstained: none; recused: North Committee (Dr. King, Ms. Nicol, Sr. Ryan and Dr. Stouch); Dr. Thomashow – MPN 50-0509.

**11. Any Other Business:**

Dr. Murray made a motion for the Vermont Board of Medical Practice to sponsor J. Arthur Gleiner, M.D. to take the Special Purpose Examination (SPEX). Sr. Ryan seconded the motion. The motion passed, opposed: none; abstained: none; recused: none.

Hon. D. Jenkins made a motion to allow Mark Logan, M.D. to change his practice monitor to Richard Baker, M.D. Dr. Thomashow seconded the motion. The motion passed, opposed: none; abstained: none; recused: (Dr. King, Ms. Nicol, Sr. Ryan and Dr. Stouch), Dr. Reich and Dr. Murray.

**12. Next meetings:**

Upcoming meetings:

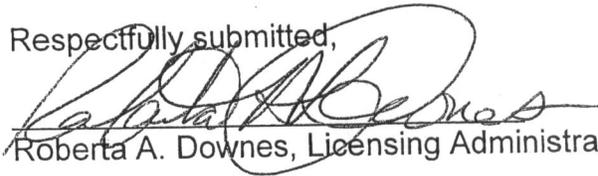
- **October 7, 2009**, Licensing Committee meeting, 10:30 a.m. Gifford Medical Center, Randolph
- **October 7, 2009**, Board meeting, 12:00 p.m. Gifford Medical Center, Randolph
- **October 15, 2009**, North Investigative Committee Meeting, 12 p.m., Water Supply Conference Room #039, Old Pantry Building, State office Complex, Waterbury
- **October 9, 2009**, Central Investigative Committee Meeting, Liquor Control Conference Room, 13 Green Mountain Drive, Montpelier
- **October 21, 2009**, Board meeting on pending applications, 12:10 p.m., teleconference meeting, with public access at the Board offices, 101 Cherry Street, Burlington
- **October 21, 2009**, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer Building, 88 Merchants Row, Rutland

**13. Adjournment**

Ms. Young made a motion to adjourn. Sr. Ryan seconded the motion. The vote was all in favor, opposed: none, recused: none; abstained: none.

Meeting adjourned at 3:04 p.m.

Respectfully submitted,



Roberta A. Downes, Licensing Administrator I

**Attachments:** Appendix A

## Appendix A

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

**Dr. Clauss moved for the issuance of secondary certifications for:**

Thomas Beauregard, PA-C      Sarah Bushweller, PA-C  
Martha Walker, PA-C

Recommended by Dr. Clauss for secondary physician assistant certifications. Seconded by Mr. Webber, passed, opposed: none, recused: none; abstained: none.

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

Sathesh Porur Evalappan, M.D.

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

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

J. Arthur Gleiner, M.D.

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

**Dr. Clauss moved for the issuance of limited temporary license for:**

Xan Courville, M.D.

Recommended by Dr. Clauss for limited temporary physician licensures. Seconded by Dr. Reich, passed, opposed: none, recused: none; abstained: none.

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

Richard Burgoyne, M.D.      Annis Marney, M.D.  
Andrew Yanofsky, M.D.

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

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

James Currie, M.D.

Craig Hankins, M.D.

Mandeep Hundal, M.D.

Jennifer Peters, M.D.

James Slayton, M.D.

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

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

Marjorie Gewirz, PA-C

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

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

Steven Emmons, M.D.

Todd Morrell, M.D.

Jageet Singh, M.D.

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

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

Robert Feinberg, PA-C

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

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

Lindsey Bilger, PA-C

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