

**STATE OF VERMONT  
BOARD OF MEDICAL PRACTICE**

In re: Alexandra H.L.F. Barstow, M.D.        )  
  )        Docket No. MPC 10-0111  
  )

**STIPULATION AND CONSENT ORDER**

NOW COME Alexandra H.L.F. Barstow, M.D. and the State of Vermont, by and through Vermont Attorney General William H. Sorrell, and hereby stipulate and agree to the following in the above-captioned matter:

1. Alexandra H.L.F. Barstow, M.D. (“Respondent”) holds Vermont medical license number 042-0010972, issued on June 15, 2005. Respondent practiced as a physician with Grace Cottage Hospital until February 4, 2011.
2. Jurisdiction in these matters vests with the Vermont Board of Medical Practice (“the Board”), pursuant to 26 V.S.A. §§ 1353-1357, 3 V.S.A. §§ 809-814, and other authority.

***Findings of Fact***

3. The Board opened the above-captioned matter in January 2011 based upon notice from Grace Cottage Hospital, pursuant to 26 V.S.A. § 1317(a), that it had terminated Respondent’s employment due to “concerns about [Respondent’s] failure to timely document and record patient encounters and the potential impact on patient care.”
4. Respondent cooperated fully with the Board’s investigation, inter alia, providing a written response concerning her practice and termination of employment and taking a continuing medical education class “Intensive Course in Medical Record Keeping” at Case Western Reserve University School of Medicine.

5. The Board's investigation found that in the course of Respondent's practice, she did not practice competently by failing to conform to the essential standards of acceptable and prevailing practice and by failing to maintain medical records which adequately and timely documented patient encounters.
6. This Stipulation and Consent Order is in full satisfaction and settlement of all charges arising from the misconduct relating to the adequate and timely maintenance of medical records.

***Conclusions of Law***

7. The Board may find "that failure to practice competently by reason of any cause on a single occasion or on multiple occasions constitutes unprofessional conduct." 26 V.S.A. § 1354(b). And "[f]ailure to practice competently includes, as determined by the board... (2) failure to conform to the essential standards of acceptable and prevailing practice. *Id.* § 1354(b)(2).
8. A failure to maintain medical records which adequately and timely document patient encounters does not conform to the essential standards of acceptable and prevailing practice.
9. Consistent with Respondent's cooperation with the Board, she agrees that if the State were to file charges against her, it could satisfy its burden at a hearing and a finding adverse to her could be entered by the Board, pursuant to 26 V.S.A. § 1354(b)(2).
10. In this matter, Respondent agrees that the Board may enter as its facts and/or conclusions paragraphs 1 through 6, above, and further agrees that this is an adequate basis for the Board actions set forth herein. Any representation by Respondent herein is made solely for the purposes set forth in this agreement.

11. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Board, she has determined that she shall enter into the instant agreement with the Board. Respondent enters no further admission here, but to resolve this matter without further time, expense, and uncertainty, she has concluded that this agreement is acceptable and in the best interest of the parties.
12. Respondent acknowledges that she is knowingly and voluntarily agreeing to this Stipulation and Consent Order. She acknowledges that she has had advice of counsel regarding this matter and in the review of this Stipulation and Consent Order. Respondent is fully satisfied with the legal representation she has received in this matter.
13. Respondent agrees and understands that by executing this document she is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Board in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, and to offer evidence of her own to contest any allegations by the State.
14. The parties agree that upon their execution of this Stipulation and Consent Order and pursuant to the terms herein, the above-captioned matter shall be administratively closed by the Board. Thereafter, the Board will take no further action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.
15. This Stipulation and Consent Order is conditioned upon its acceptance by the Vermont Board of Medical Practice. If the Board rejects any part of this document, the entire agreement shall be considered void. Respondent agrees that if the Board does not accept this agreement in its current form, she shall not assert in any subsequent

proceeding any claim of prejudice from any such prior consideration. If the Board rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, it shall be kept in strict confidence, and it shall be without prejudice to any future disciplinary proceeding and the Board's final determination of any charge against Respondent.

16. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in her permanent Board file, shall constitute an enforceable legal agreement, and may and shall be reported to other licensing authorities, including but not limited to, the Federation of State Medical Boards Board Action Databank, the National Practitioner Data Bank, and the Healthcare Integrity and Protection Data Bank. In exchange for the actions by the Board, as set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.
17. The parties therefore jointly agree that should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Vermont Board of Medical Practice, the Board may enter an order implementing the terms and conditions herein.

#### **ORDER**

WHEREFORE, based on the foregoing, and the consent of Respondent, it is hereby

ORDERED that:

- a. Respondent shall notify all future employers of this Stipulation and Consent Order by providing a copy of said document;

- b. Respondent shall timely and accurately document all patient encounters in her future practice;
- c. Respondent shall seek initial and ongoing guidance from other physicians with respect to timely documentation of patient encounters; and
- d. Respondent shall provide the Medical Practice Board with written updates as to her compliance with this Stipulation and Consent Order, including her status with respect to the requirements of a., b., and c., above, at ninety (90) and one hundred eighty (180) days after she begins new employment in the practice of medicine.

SO ORDERED.

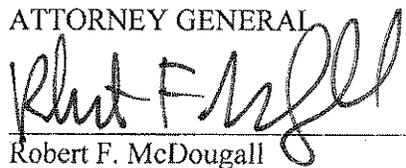
**SIGNATURES**

DATED at Montpelier, Vermont, this 9<sup>th</sup> day of May, 2012.

STATE OF VERMONT

WILLIAM H. SORRELL  
ATTORNEY GENERAL

By: \_\_\_\_\_

  
Robert F. McDougall  
Assistant Attorney General  
Office of the Attorney General  
109 State Street  
Montpelier, VT 05609

Office of the  
ATTORNEY  
GENERAL  
109 State Street  
Montpelier, VT  
05609

DATED at Brattleboro, Vermont, this 2<sup>nd</sup> day of May, 2012.

  
ALEXANDRA H.L.F. BARSTOW, M.D.

Respondent

DATED at Middlebury, Vermont, this 6 day of April, 2012.

  
William B. Miller, Jr., Esq.  
Lanrock Sperry & Wool, LLP  
PO Drawer 351  
111 South Pleasant Street  
Middlebury, VT 05753-0351

Counsel for Respondent

AS TO ALEXANDRA H.L.F. BARSTOW, M.D.

APPROVED AND ORDERED  
VERMONT BOARD OF MEDICAL PRACTICE



Yang R. Sadler MD

W. A. ...



Carol Diamond

Sh. Melh

Peterson Arky MD

DATED: June 6, 2012

ENTERED AND EFFECTIVE: June 6, 2012

Office of the  
ATTORNEY  
GENERAL  
109 State Street  
Montpelier, VT  
05609