

**Vermont Board of Medical Practice
Minutes of the December 4, 2013 Board Meeting
Gifford Medical Center, Randolph, VT**

Approved

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

Patricia King, MD, PhD, Chair, called the meeting to order at 12:22.

Members Present:

Allen Evans; Robert G. Hayward, MD; William K. Hoser, PA-C; David A. Jenkins; Leo LeCours; Patricia Hunter; Sarah McClain; Joshua Plavin, MD; Harvey Reich, MD; Robert Rinaldi, DPM; Toby Sadkin, MD; William H. Stouch, MD; Peter Thomashow, MD.

Others in Attendance:

David Herlihy, Executive Director; Paula Nenner, Investigator; Jassen Bluto, Investigator; Karen LaFond, Licensing Administrator; Margaret Vincent, AAG; Robert McDougall, AAG; Robert Simpson, Esq., Presiding Officer.

2. Public Comment:

None

3. Approval of Minutes of the November 6 and November 20, 2013 Board Meetings:

Dr. Plavin moved to accept the minutes of the November 6, 2013 meeting. Mr. Hoser seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Mr. Hoser moved to accept the minutes of the November 20, 2013 meeting. Ms. McClain seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

4. Board Issues (Dr. King):

None

5. Administrative Update (Mr. Herlihy):

Mr. Herlihy recognized four members whose terms expire on December 31, 2013: Robert Rinaldi, DPM; Toby Sadkin, MD; William H. Stouch, MD; Peter Thomashow, MD. The four were recognized with certificates of appreciation and gifts commemorating their combined thirty-five years of service.

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. Convene Hearing to discuss any stipulations or disciplinary matters that are before the Board (12:45 p.m. – 1:15 p.m.): (Mr. Simpson)

- **In re: Alan Edward Bonsteel, MD – MPN 145-0513 – Stipulation and Consent Order**

Mr. Simpson and Mr. McDougall addressed the Board, summarizing the facts leading up to the Stipulation and Consent Order. Mr. Jenkins made a motion to approve the Order. Dr. Reich seconded the motion. The motion passed; opposed: none; abstained: none; recused: Dr. Sadkin and North Investigative Committee.

- **In re: Lee Adam Bakalaw, MD – MPC 146-0513 – Cessation of Practice Agreement**

Mr. Simpson and Mr. McDougall addressed the Board, summarizing the facts leading up to the Cessation of Practice Agreement. Dr. Reich made a motion to approve the Agreement. Ms. Hunter seconded the motion. The motion passed; opposed: none; abstained: none; recused: Dr. Plavin and Central Investigative Committee.

8. Executive Session to Discuss:

- a. Investigative cases recommended for closure**
- b. Other matters that are confidential by law, if any.**

Dr. Rinaldi made a motion at 1:13 p.m. to go into Executive Session to discuss confidential matters related to investigations. Dr. Plavin seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

Dr. Thomashow made a motion at 2:03 to return to Open Session. Mr. Hoser seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

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

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

MPN 204-0913 – Letter #1; Dr. Thomashow recused
MPN 191-0913 – Special Letter #1
MPN 205-0913 – Letter #1; Dr. Thomashow recused
MPN 188-0913 – Letter #1
MPN 151-0613 – Special Letter #1; Dr. Thomashow recused

Dr. Reich made a motion to close the cases presented. Dr. Plavin seconded the motion. The motion passed; opposed: none; abstained: none; recused: North Investigative Committee and 1 other.

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

MPC 197-0913 – Letter #1

MPC 200-0913 – Letter#1
MPC 189-0913 – Letter #1
MPC 195-0913 – Letter #1
MPC 196-0913 – Letter #1
MPC 43-0213 – Special Letter #1

Mr. Hoser made a motion to close the cases presented. Ms. Hunter seconded the motion. The motion passed, opposed: none; abstained: none; recused: Central Investigative Committee.

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

MPS 206-0913 – Special Letter #1
MPS 67-0213 – Special Letter #2
MPS 60-0213 – Special Letter #1

Dr. Rinaldi made a motion to close the cases presented. Dr. Thomashow seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

11. Other Business:

Mr. Herlihy brought forth for discussion language of closing letters, which was on the retreat agenda from September and was not discussed at that time. He asked the Board members for feedback about any changes in language or tone of the closing letters. Members raised concern over the punitive tone of the standard letter #1 that is used when no unprofessional conduct is found by an investigative committee, especially in the cases when a provider has fully met or exceeded the standard of care. It was suggested that it might be helpful to make reference to the statutes or Board rules. A member suggested that the Board might acknowledge how difficult it can be for a Respondent to be the subject of an investigation. Another suggestion was to cite the article in the recent September newsletter that outlines and explains the complaint process and what respondents may expect.

Mr. Herlihy stated that he will draft letters for review by the AAGs and will then send to the board members for review and further discussion.

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

- **December 12, 2013 North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 3rd Floor, Conference Room 3B, Burlington, VT**
- **December 13, 2013, Central Investigative Committee Meeting, 9 a.m., Liquor Control Conference Room, Basement Floor, 13 Green Mountain Drive, Montpelier, VT**
- **December 18, 2013, Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2nd, Floor Burlington, VT (and via**

telephone)

- **December 18, 2013, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **January 8, 2014, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **January 8, 2014, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

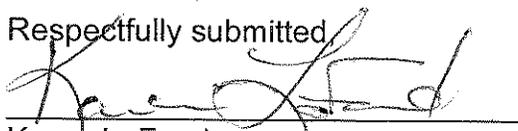
13. Adjournment:

Dr. Rinaldi made a motion to adjourn. Dr. Hayward seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Meeting adjourned at 2:44 p.m.

Attachments: Appendix A

Respectfully submitted



Karen LaFond
Licensing Administrator

Appendix A

Presentation of Applications

Dr. King moved for the issuance of physician licenses and physician assistant licenses for:

Insaf Ally, MD

Claude Deschamps, MD

Alexis Gagne, PA-C

Kara Judson, MD

Maureen Mahoney, PA-C

Jamie McCormack, PA-C

Theodore Weitz, MD

Michael Armstrong, MD

Kenneth Edgar, MD

Rachel Gaidys, MD

Ethan Karsen, MD

Carolos Marroquin, MD

Timothy Seigel, MD

Yvette Bailey, MD

Brett Feldman, MD

Leah Jacobson, MD

Sanjiv Lakhanpal, MD

Priscilla Marsicovetere, PA-C

Elizabeth Suiter, MD

Recommended by Dr. Rinaldi for licensure. Seconded by Mr. Hoser. The motion passed; opposed: none; recused: none; abstained.

Dr. King moved for the issuance of Limited Temporary Physician licenses for:

Jeff Brent, MD-LTL

Gregory Murphy, MD

Eileen Crawford, MD-LTL

Christie Langenberg, MD

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