

**Vermont Board of Medical Practice
Minutes of the December 6, 2006 Meeting
Vermont Technical College, Randolph, Vermont**

Approved

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

James D. Cahill, Chair of the Board, called the meeting to order at 12:08 p.m., at Vermont Technical College, Randolph, Vermont.

Members Present:

James D. Cahill, MD; David W. Clauss, MD; Ezekiel S. Cross; Russell P. Davignon, MD; Richard L. Guerrero, MD; Patricia A. King, MD, PhD; Denis J. Lamontagne, DPM; Margaret F. Martin; John J. Murray, MD; Sharon L. Nicol; Alexander Northern; Toby Sadkin, MD; Katherine A. Silta, PA-C; William H. Stouch, MD; Peter Thomashow, MD; John Webber

Others in Attendance:

James Arisman, Assistant Attorney General; Phil Ciotti, Investigator; Phil Cykon, Presiding Officer; Dixie Henry, Assistant Attorney General; John Howland Jr, Director; Peggy Langlais, Administrative Supervisor; Paula Nennering, Investigator

2. Public Comment

None.

3. Approval of the Minutes of the November 1 and 15, 2006 Board Meetings

Mr. Cross made a motion to accept the minutes of November 1 and 15, 2006 Board meetings. Dr. King seconded the motion. The motion passed, opposed: none, abstained: none.

4. Board Matters

Announcements

- Mr. Arisman said that Mr. Winn was unable to attend the day's meeting
- Dr. Cahill said that members had just been given a Stipulation for review, consideration and potential action later in the meeting.

Board Matters

Dr. Cahill said that the Federation of State Medical Boards which consists of about 70 members, is looking for nominations for positions in the national office. He asked anyone is interested to let him know. The deadline is January 15, 2007.

Mr. Howland said that Susan Spaulding from Vermont had been the president of the Federation approximately 10 years ago.

Dr. Cahill said that he had attended the first meeting of the new prescription monitoring program that the state has authorized. He said that program is in the process of implementation. Dr. Cahill said that he will keep the Board posted and asked that anyone else interested in participating let him know. He said there will be quarterly meetings held in Burlington.

Dr. Cahill said that last month the Board received a presentation from David Swankin on Prep4 for Patient Safety. He said that he is looking for feedback on how it could work in Vermont. He asked that anyone with feedback let him or Mr. Howland know.

Dr. Cahill said there will be no Executive Committee meeting today. He said there has been some talk about making it an open forum to discuss subjects not necessarily on the front burner and that it would be open to whoever wanted to participate.

Mr. Howland said that if the Board were to take a break before the open forum, anyone that needed to, could leave for home. He said there would be agreement that no Board business would be conducted during the forum. He said that attendance would not be required.

Dr. Cahill said that the Board office had done a wonderful job in processing 2,863 physician license renewal applications within 24 hours of receipt.

Dr. Cahill welcomed Mr. Howland back to the Board. He said that Mr. Howland had done a wonderful job in the past and that he was sure that he would again.

Dr. Cahill said that Ms. Henry, Assistant Attorney General, was present to provide the Board with a bird's eye view of the various attorney functions.

Mr. Howland said that he is very happy that Ms. Henry is to be attending the meeting. He said that Ms. Henry and Mr. Cykon had worked out the lawyer issues and that the message to the Board is that the Board will be taken care of.

Ms. Henry said that she had been with the Department for over a year and a half. She said that during that time she had done some work for the Medical Board. She said that she has been assigned to work with Board to provide legal services, attend meetings and work closely with other attorneys at the Board's disposal. She said each attorney will sort out who needs to do what and then the appropriate attorney will respond.

Ms. Henry outlined the attorney roles as follows.

- Mr. Arisman and Mr. Winn are the prosecutors for the state.

- Mr. Cykon is the presiding officer over contested or potentially contested cases as well as adjudicative matters.
- Ms. Henry is the general counsel for administrative responsibilities including procedures, forms, and answering legal questions daily.

Ms. Henry said that the attorneys may pass things back and forth, so there may be some huddling or checking back and forth but the Board can be assured that follow-up will happen. She said that she expected things to be sorted out in the short term.

Dr. Cahill reminded members of the year long project of statutory changes that Ms. DiStabile had put together and asked that they prioritize them. He said this matter could be looked at in the open forum meetings.

5. Administrative Update (Mr. Howland)

Mr. Howland said that he was pleased to be here. He said that things are a lot different from when he was previously with the Board. He told members that he was quite deaf and would be using audio equipment to assist him.

Mr. Howland said that he had been with the Board for a year and a half before Ms. DiStabile had been appointed. He said that his appointment was to have been for only a few months and that he had spent 1 and a half years doing tentative work. He said that this time he plans on being in the position for about a year. Mr. Howland said that he had prior experience with the Secretary of State's Office of Professional Regulation

Mr. Howland said that he was appointed with the understanding that he could complete a previously scheduled training in the latter part of January and into February that he will be attending the Kripalu Institute for massage certification. He said the office is operating pretty well and that he would miss one meeting. He also said that in May he will go to the Federation of State Medical Board's Annual Meeting in San Francisco, but that he intended to attend all other meetings.

Mr. Howland said that he had chatted extensively with committee chairs and looked forward to more in depth conversation. He said that he welcomes calls. He said that pretty good progress has been made with the Vermont Practitioner's Health Program and that he would be meeting with their Medical Director next week.

Mr. Howland said that he needed to do a bit of bragging about staff. He said

- Ms. Langlais, Ms. Hayes and Ms. West had processed about 100% of the renewals that came in for licensing within 24 hours. That means that licenses went out or additional information was requested the same day or the next day. He said that he had participated in a

conference call related to licensing portability and when he shared that information, the other participants were envious.

- On the deadline, 130 Vermont resident physicians had lapsed. He said that Mr. Ciotti and Ms. Nenninger, on Friday and Monday had called each one. He said that the calls had been greatly appreciated by those who had missed the deadline.

Mr. Howland said that he felt like a pretty lucky guy to be working with these people. He said that he had worked with a lot of attorneys and investigators and that we are lucky to have the investigators and lawyers that we have. He said that he is real happy to be back.

Dr. Cahill said that was a positive spin to start off with.

6. Presentation of applications

See Appendix A.

7. Recess; Convene Hearing (Mr. Cykon)

Mr. Cykon convened a hearing to consider matters before the Board.

In re: Herbert H. Scherzer, MD, Licensing Board Matter, Stipulation and Order

Dr. Cahill made a motion to go into Executive Session to discuss matters that by law are considered confidential. Ms. Martin seconded the motion. The vote was all in favor, opposed: none; abstained: none.

Executive Session: 1:04 p.m.

Open Session resumed at 1:11 p.m.

Dr. Murray made a motion to accept the Stipulation and Order. Mr. Webber seconded the motion. The vote was all in favor, opposed: none, abstained: none.

In re: Gulnaz Cowder, MD, MPN 131-0905, MPN 148-1005, MPN 19-0106, MPN 20-0106, MPN 21-0106, Stipulation and Order

Dr. Murray made a motion to accept the Stipulation and Order. Dr. Clauss seconded the motion. The vote was all in favor, opposed: none, abstained: Dr. Guerrero.

Break

Break: 1:16 p.m.

Return to open session: 1:24 p.m.

8. Executive Session to Discuss Investigative Matters

Dr. Stouch made a motion to go into executive session to discuss investigative matters. Dr. Murray seconded the motion. The vote was all in favor, opposed: none, abstained: none.

Executive session began at 1:25 p.m.

Open session resumed at 2:26 p.m.

9. Open Session

Dr. King, Chair of the North Investigative Committee, moved to close

MPN 145-1006

MPN 144-1006

MPN 127-0906

MPN 120-0906

MPN 126-0906

Seconded: Mr. Cross. Passed, opposed: none. Abstained: none.

Ms. Silta, Chair of the South Investigative Committee, moved to close

MPS 20-0105

MPS 102-0806

MPS 135-0906

MPS 01-0106

MPS 171-1104

MPS 109-0806

MPS 96-0706

Seconded: Dr. King Passed, opposed: none. Abstained: MPS 102-0806- Dr. Clauss, MPS 01-0106 – Dr. Sadkin and Dr. Clauss, MPS 96-0706 – Dr. Stouch.

Dr. Clauss, Chair of the Central Investigative Committee said his committee had no closings.

Dr. King, on behalf of the North Investigative Committee, made a motion to approve the request for removal of conditions on the physician license of Santiago Cancio-Bello, MD, MPN 74-0702. Dr. Murray seconded the motion. The vote was all in favor, opposed: none, abstained: Dr. Cahill.

10. Return to Presentation of applications

See Appendix A

11. Next meetings

Upcoming meetings

- January 11, 2007, North Investigative Committee Meeting, 12 p.m., Vermont State College, Waterbury
- January 12, 2007, Central Investigative Committee Meeting, 12 p.m., Montpelier
- January 17, 2007, South Investigative Committee Meeting, 12 p.m., Asa Bloomer Building, Rutland
- January 17, 2007, Board meeting on pending applications, 12:10 p.m., Board Office, 101 Cherry Street, Burlington, (and via telephone)

12. Next Regular Board meetings January 3, 2007, 12 p.m., Gifford Medical Center Vermont, Randolph, Vermont, January 17, 2007, 12:10 p.m., teleconference meeting, with public access at the Board offices, 101 Cherry Street, Burlington, Vermont

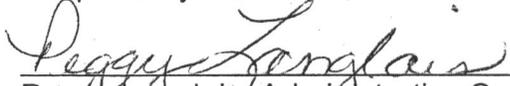
13. Any Other Business

None.

14. Adjournment

Adjourned at 2:34 p.m.

Respectfully submitted,



Peggy Langlais, Administrative Supervisor
Attachment

Appendix A

Presentation of Applications

Dr. Davignon reported on interviews with

Tyron Townsend, AA

Sreenivas Katragadda, MD

Recommended for physician assistant certification and physician licensure

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

Dr. Clauss reported on an interview with

Neal Fischer, MD

Recommended for physician licensure

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

Dr. Murray reported on an interview with

Jessica Sherman, MD

Recommended for physician licensure

Seconded by Mr. Cross, passed, opposed: none, abstained: none

Dr. Stouch reported on interviews with

Denis Tereb, MD

Lizabeth Pontzer, MD

Anne Klein, PA

Angela Applebee, MD

Herbert Scherzer, MD

Recommended for physician assistant certification and physician licensure

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

Dr. King reported on interviews with

David Doty, MD

Leonard Poirier, MD

Thomas Rachner, MD

Douglas Woolard, MD

Matthew Yates, MD

Recommended for physician licensure

Seconded by Mr. Cross, passed, opposed: none, abstained: none

Dr. Thomashow reported on interviews with

Paul Hanissian, MD

Mark Franklin, MD

William Bloom, MD

Mark Depman, MD

Recommended for physician licensure

Seconded by Dr. King, passed, opposed: none, abstained: none

Dr. Guerrero reported on interviews with

Andrew Baxter, MD
James Chapman, MD

Recommended for physician licensure

Seconded by Ms. Martin, passed, opposed: none, abstained: none

Ms. Silta reported on interviews with

Darin Bradley, PA
Jeffrey Donnelly, PA
William Hoser, PA
Katherine Macko, PA
Belle McDougall, MD
Matthew Stevens, PA
Jeremy Orr, PA

Recommended for physician assistant certification and physician licensure

Seconded by Dr. Stouch, passed, opposed: none, abstained: none

Return to presentation of applications

Dr. Cahill reported on an interview with
Sudhir Kapoor, MD

Recommended for physician licensure

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