

**Vermont Board of Medical Practice
Minutes of the July 11, 2007 Meeting
Langevin House, Vermont Technical College, Randolph, Vermont**

Approved

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

Dr. Clauss, Chair of the Board, called the meeting to order at 12:23 p.m.

Members Present:

David W. Clauss, MD; Ezekiel S. Cross; Russell P. Davignon, MD;
Richard L. Guerrero, MD; Patricia A. King, MD, PhD; Margaret Martin;
John J. Murray, MD; William H. Stouch, MD; Toby Sadkin, MD; Florence
Young

Others in Attendance:

James Arisman, Assistant Attorney General; Philip Ciotti, Investigator; Phil
Cykon, Presiding Officer; Dixie Henry, Assistant Attorney General; John
Howland, Jr, Director; Paula Nenner, Investigator ; Margaret Vincent,
Assistant Attorney General; Lauren West, Program Services Clerk

2. Public Comment

None.

3. Approval of the Minutes of the June 6 and 20, 2007 Board Meetings

Dr. Stouch made a motion to accept the minutes of the June 6 and 20, 2007
Board meetings. Dr. Murray seconded the motion. The motion passed,
opposed: none; abstained: none.

4. Board Matters (Dr. Clauss)

Members from the Federation of State Medical Boards will be staying in
Burlington and would like to go out to dinner with Board representatives. Staff
will contact members with details.

5. Administrative Update (Mr. Howland)

The Federation members will also be attending the August Board meeting and
Mr. Howland recommends carpooling with the members because the car ride
could be very informative.

The Health Department is currently recruiting for Peggy Langlais' position and
the Board of Medical Practice is currently operating with limited administrative
staff. We should give thanks to Tracy Hayes; she completed renewals for limited

temporary physicians and podiatrists, and posted all updated applications on the website before leaving for her two week vacation.

The Board of Health is considering a request to add salvia divinorum to the list of illegal hallucinogenic plants. The law requires that the Board of Medical Practice be consulted. Mr. Howland will be distributing a memo and this will be discussed at a later date.

Mr. Howland addressed the memo (a copy of which is attached to the file copy of these minutes) which was distributed to the Board in regards to an upcoming vacancy for the Medical Marijuana Review Board. Dr. Thomashow's term is set to expire August 3, 2007 and the Board needs to appoint a representative. Dr. Murray made a motion to reappoint Dr. Thomashow to the Medical Marijuana Review Board. Dr. Stouch seconded the motion. The vote was all in favor. Opposed: none; Abstained: none.

At last month's Board meeting there was a presentation on nurse collaborative agreements (a copy of the memo is attached to the file copy of these minutes). The study committee needs a representative from the Board. Dr. Clauss recommended the representative be a member who has been in primary care practice. Dr. Murray volunteered to be the representative for the committee. He said he is keeping an open mind about the study. Dr. Clauss appointed Dr. Murray as the Board representative.

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: Melissa Smith-Horn, MD, Docket no. MPS 101-0804 and MPS 97-0605, Stipulation and Consent Order.

Dr. Clauss made a motion to approve the Stipulation and Consent Order to surrender her Vermont medical license and the agreement not to reapply for medical licensure in the state of Vermont. Dr. Stouch seconded the motion. The motion passed. Opposed: none; Abstained: none.

In re: David S. Chase, MD, Docket No. MPC 15-0203, *et al.*, Appointment of Hearing Board

Hearing Committee will be meeting Friday July 13, 2007 via telephone conference for their final deliberation, and the Hearing Committee report will be filed Monday July 16, 2007. Their report is a proposal for a decision. The Board chair needs to designate a Hearing Board of five members to meet statutory quorum. Due to recusals, only one available member was present. Both the chair and vice chair are recused. Therefore a warned phone conference meeting of available people will be held to appoint an acting chair to constitute the Hearing Board.

8. Executive Session to Discuss Investigative Matters

Ms. Martin made a motion to go into Executive Session at 12:55 p.m. to discuss confidential matters related to investigations. Dr. King seconded the motion. The motion passed, opposed: none; abstained: none.

9. Open Session

Open session resumed and meeting recessed at 1:30 p.m.

10. Convene Hearing (Mr. Cykon) 1:30 p.m.

In re: Joseph A. Abate, MD, Docket no. MPS 89-0607, Motion to Amend Cessation of Practice Order.

Attorney Eric Miller phoned into the meeting to discuss the respondent's motion to amend cessation of practice order. Assistant Attorney General James Arisman responded. Each party was allotted 10 minutes to present their arguments. The Board then entered deliberative session to deliberate upon the motion. The Board will issue a written decision at a later date.

11. Meeting Resumed

12. Executive Session to Discuss Investigative Matters

Dr. Guerrero made a motion to go into Executive Session at 2:20 p.m. to discuss confidential matters related to investigations. Dr. Stouch seconded the motion. The motion passed, opposed: none; abstained: none.

13. Open Session

Open session resumed at 3:28 p.m.

14. Executive Session to Discuss Investigative Matters

Dr. Murray made a motion to go into Executive Session at 3:31 p.m. to discuss confidential matters related to investigations. Dr. King seconded the motion. The motion passed, opposed: none; abstained: none.

15. Open Session

Open session resumed at 3:32 p.m.

Ms. Martin, South Investigative Committee, moved to close

MPS 27-0207

MPS 36-0207

MPS 57-0307

MPS 58-0307

MPS 66-0407

Seconded: Dr. Murray. Passed, opposed: none. Abstained: Dr. King MPS 57-0307 and MPS 58-0307.

Dr. Murray, Central Investigative Committee, moved to close

MPCR 177-1106

MPC 67-0407

MPC 19-0207

MPC 46-0307

MPC 81-0507

Seconded: Dr. Stouch. Passed, opposed: none. Abstained: none.

Dr. King, North Investigative Committee, moved to close

MPN 73-0507

MPN 64-0407

MPN 55-0307

MPN 33-0206

MPNR 167-1106

Seconded: Dr. Murray. Passed, opposed: none. Abstained: Dr. Murray, Dr. Sadkin, Dr. Guerrero MPN 69-0407; Dr. Guerrero MPN 33-0206.

16. Next meetings

Upcoming meetings

- August 1, 2007, Licensing Committee meeting, 10:30 a.m., **Vermont Technical Center, Langevin Hall**, Randolph,
- August 1, 2007, Board meeting, 12:20 p.m., **Vermont Technical Center, Langevin Hall**, Randolph,
- August 9, 2007, North Investigative Committee Meeting, 12 p.m., Stanley Hall, Vermont State College, Waterbury
- August 10, 2007, Central Investigative Committee Meeting, 12 p.m., 12 Starr Farm Road, Burlington

- August 15, 2007, Board meeting on pending applications, 12:10 p.m., teleconference meeting, with public access at the Board offices, 101 Cherry Street, Burlington
- August 15, 2007, South Investigative Committee Meeting, 12:20 p.m., Asa Bloomer Building, Rutland

17. Any Other Business

Mr. Howland informed the Board that the office has had problems updating the Physician Profiles on the website, which is the responsibility of the Commissioner's office. Efforts are under way to fix the problem.

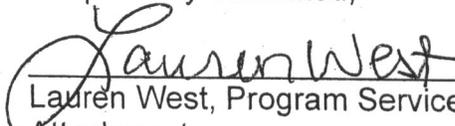
Next month members from the Federation of State Medical Boards will have a one hour presentation, so we should try to keep presentation of applications short and simple, thank you.

18. Adjournment

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

Adjourned at 3:35 p.m.

Respectfully submitted,



Lauren West, Program Services Clerk
Attachments

Appendix A

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

Dr. Davignon reported on interviews with
Allison Adams, MD
Margaret Daly, MD
Gregory Fairchok, MD
Rashmi Hande, MD
Guiseppe Raviola, MD-interview conducted by Dr. Thomashow
Sheldon Stekloff, MD

Recommended for physician licensure

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

Dr. Clauss reported on interviews Ms. Silta conducted with
Jeffrey P Donnelly, PA
Patrick Schembri, PA
Rachel Spengler, PA

Recommended for physician assistant certification

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

Dr. Clauss reported on interviews Dr. Cahill conducted with
Jennifer Judkins, MD

Recommended for reinstatement of physician licensure

Steven Powell, MD

Recommended for physician licensure

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

Dr. Guerrero reported on interviews with

Abby Hornstein, MD

Stephen Kornbluth, MD

Sean Uiterwyk, MD

Recommended for physician licensure

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

Dr. Stouch reported on interviews with

Heather Burbank, MD

Angela Casey, MD

Recommended for physician licensure

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

Dr. King reported on interviews with

Cory Halliburton, MD

Ely Zaslow, MD

Recommended for physician licensure

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

Dr. Clauss moved on limited temporary licenses

Talissa Adkison, MD

Subhadeep Barman, MD

Ioannis Felemegos, MD

Azra Rahim, MD

Elrond Teo, MD

Recommended for physician licensure

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

Dr. Murray made a motion to grant John Bouillon, MD a license contingent on a successful interview taking place within the next 72 hours. Seconded by Dr. Davignon, The vote was all in favor. Opposed: none, abstained: none.