

**Vermont Board of Medical Practice  
Minutes of the July 6, 2011 Board Meeting  
Gifford Medical Center, Randolph, VT**

**Approved**

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

Patricia A. King, M.D., Chair, called the meeting to order at 12:19 p.m.

**Members Present:**

Patricia A. King, M.D.; William K. Hoser, PA-C; Margaret F. Martin; Michael Drew, MD; Janice Gallant, M.D.; Robert G. Hayward, M.D.; Eileen Illuzzi; Hon. David A. Jenkins; Joshua A. Plavin, M.D.; Harvey S. Reich, MD; Robert Rinaldi, DPM; Toby Sadkin, MD; Peter Thomashow, MD; John B. Webber, Esq.; Florence Young.

**Others in Attendance:**

Philip Ciotti, Investigator; Paula Nenninger, Investigator; Margaret Vincent, Assistant Attorney General; Karen LaFond, Licensing Administrator; Terry Lovelace, Assistant Attorney General; Kurt Khuel, Assistant Attorney General; Robert Simpson, Presiding Officer.

**2. Public Comments: None**

**3. Approval of the Minutes of the June 1, June 8, June 15 and June 27, 2011 Board Meetings**

Dr. Drew made a motion to accept the minutes of the June 1, 2011 Board meeting. Dr. Plavin seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Dr. Hayward made a motion to accept the minutes of the June 8, 2011 Special Board meeting. Dr. Plavin seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Ms. Martin made a motion to accept the minutes of the June 15, 2011 Board meeting. Mr. webber seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Dr. Hayward made a motion to accept the minutes of the June 27, 2011 Board meeting. Ms. Martin seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

**4. Board Issues (Dr. King):**

Dr. King raised the issue regarding establishing a hearing panel for the contested hearing starting July 25. She requested eligible members state if they were available to serve on the panel. Dr. Sadkin, Dr. Hayward, Dr. Gallant and Dr. Thomashow were

eligible but unable to volunteer. Hon. Jenkins advised he would be on the panel and Ms. LaFond stated she would follow up with Dr. Stouch when he returned from vacation. It is required that the board exhaust all current members before adhoc members can be petitioned.

Dr. King relayed a request from David Herlihy, Executive Director, who was unable to attend the meeting, to issue a resolution. She read the following excerpt from his e-mail:

Now that our statute revision bill has been signed, I would like for the Board to pass a resolution recognizing the staff attorney from the Legislature for her work on our bill. I felt like she really went above and beyond and did an outstanding job. If the Board passes a resolution, I will have a nice certificate made up for your signature and put it in a frame to give to her.

I would propose the following:

Resolution: The Vermont Board of Medical Practice Resolves and Orders that BetsyAnn Wrask be publicly commended for her contributions to the legislative process that resulted in the passage of Act 61 of 2011. It is the duty of legislative staff attorneys to assist Legislators to make bills reflect their intent as much as they possibly can, but Ms. Wrask contributed more to this piece of legislation that should be expected of one individual. Thanks to her considerable talents, hard work, and dedication to her duties, the Board's proposed draft was greatly improved and resulted in changes to the law that will allow the Board to better do its work for the licensed professionals and public. She quickly became an expert in the statutes that apply to the Board, and worked tirelessly at all hours of the day and night to be ready at each of the many steps in the process. For those efforts, she is hereby publicly thanked and commended.

Mr. Webber made a motion to approve the issuance of this resolution. Seconded by Dr. Hayward, motion passed. Opposed: none; Recused: none; Abstained: none.

#### **5. Administrative Update (Ms. LaFond for Mr. Herlihy):**

Ms. LaFond updated the members on the move, which took place on June 10. While it did not go as smoothly as had hoped, all staff are in their offices and the new space is located at 108 Cherry Street in Burlington on the 2<sup>nd</sup> Floor. She invited members to stop by when they are in the area.

Mr. Herlihy also provided an update on the CAVU system, which is now slated to go-live on 8/29/11. She reassured the members that both she and David Herlihy are closely monitoring the situation closely.

#### **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. Presentations to the Board: None**

## **8. Convene Hearing (Mr. Simpson):**

In re: Louis J. Frank, MD – MPC 135-1209 & MPC 44-0410, Proposal for Decision and Order

Mr. Simpson noted required amendments to the order that would be provided in the Final order if the board approved the Proposal for Decision. The amendments were: (1) "Gifford Memorial Hospital" would be corrected to "Gifford Medical Center" (p.4), and (2) "more than 150 false prescriptions" would be corrected to "more than 130 false prescriptions" (p. 25).

Mr. Webber made a motion to approve the Proposal for Decision. Ms. Martin seconded the motion. The motion passed: 9 in favor; opposed: none; recused: 2 and Central Investigative Committee; abstained: 1.

## **9. Executive Session to Discuss Investigative Matters:**

Dr. Drew made a motion at 1:44 p.m. to go into Executive Session to discuss confidential matters related to investigations. Mr. Hoser seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

## **10. Open Session:**

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

MPS 52-0411 – Letter #1  
MPS 55-0411 – Letter #1  
MPS 58-0511 – Letter #1  
MPS 48-0411 – Letter #1 – Dr. King Recused  
MPS 47-0411 – Special Letter #1  
MPS 44-0311 – Letter #1 – Dr. King Recused  
MPS 49-0411 – 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 and 2 – see above.

**Hon. Jenkins, Central Investigative Committee, asked to close:**

MPC 20-0211 – Special Letter #1  
MPC 57-0511 – Letter #1 – Dr. Sadkin Recused  
MPC 65-0511 – Special Letter #1

Dr. Plavin made a motion to close the cases presented. Dr. Reich seconded the motion. The motion passed, opposed: none; abstained: none; recused: Central Investigative Committee and 1 – see above.

**11. Board Actions on Committee Recommendations With Regard to Any Non-confidential Matters:**

None

**12. Any Other Business: Next meetings:**

Upcoming meetings: (Locations are subject to change, you will be notified if a change takes place.)

- August 4, 2011, North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 2<sup>nd</sup> Floor, Conference Room 2D, Burlington, VT
- August 12, 2011, Central Investigative Committee Meeting, 12 p.m., The Pavilion, 109 State Street, Montpelier, VT
- August 17, 2011 Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2<sup>nd</sup> Floor Burlington, VT (and via telephone)
- August 17, 2011 South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT
- September 7, 2011, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph
- September 7, 2011, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph

**13. Adjournment**

Dr. Hayward made a motion to adjourn. Dr. Reich seconded the motion. The vote was all in favor, opposed: none, recused: none; abstained: none.

Meeting adjourned at 1:57 p.m.

Respectfully submitted,

  
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Karen A. LaFond, Licensing Administrator

**Attachments:** Appendix A

## Appendix A

### Presentation of Applications

#### Dr. King moved for the issuance of physician licenses for:

Teimuraz Apridonidze, MD	Michael Bojkovic, MD	Kasra Djalayer, MD
Todd Dombrowski, MD	Seyed Emanian, MD	Jun Fu, MD
Colleen Moran, MD	David Jacobs, MD	Andrew Kessler, MD
Suzanne Meehan, MD	Cindy Noyes, MD	Abby Reineck, MD
Robert Wheeler, MD	Brenna Yursik, MD	

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

#### Dr. King moved for the issuance of a limited temporary license for:

Jessica Andrew, MD LTL  
Laura Schned, MD LTL  
Nathan Sneed, MD LTL  
Michael Wright, MD LTL

Recommended by Dr. King for limited temporary physician licensure. Seconded by Mr. Hoser passed, opposed: none, recused: none; abstained: none.