

Maine Board of Licensure in Medicine
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April 8, 2025

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**Maine Board of Licensure in Medicine
Minutes of April 8, 2025
8:00 a.m. – 1:28 p.m.**

Board Members Present: Chair Maroulla S. Gleaton, MD; Secretary Christopher R. Ross, PA; Holly Fanjoy, MD; David H. Flaherty, PA; Noah Nesin, MD; Public Member Jonathan Sahrbeck; Brad Waddell, MD; and Public Member Lynne M. Weinstein

Board Members Absent: Renee M. Fay-LeBlanc, MD; Anthony T. Ng, MD; and Public Member Gregory Jamison, RPh

Board Staff Present: Executive Director Timothy E. Terranova; Assistant Executive Director Valerie Hunt; Medical Director Paul N. Smith, MD; Complaint Coordinator Kelly McLaughlin; Consumer Assistance Specialist Faith McLaughlin; Investigative Secretary Danielle Magioncalda; Administrative Assistant Maureen S. Lathrop; Licensing Supervisor Tracy Morrison; Licensing Specialist Savannah Okoronkwo and Licensing Specialist Nathan Fitts

Attorney General's Office Staff Present: Assistant Attorney General Jennifer Willis

The Board met in public session except during the times listed below which were held in executive session. Executive sessions are held to consider matters which, under statute, are confidential (*e.g.*, 1 M.R.S. § 405; 10 M.R.S. § 8003-B; 22 M.R.S. § 1711-C; 24 M.R.S. § 2510; 32 M.R.S. § 3282-A). During the public session of the meeting, actions were taken on all matters discussed during executive session. In addition, though not required by law, the meeting was made virtually available to the public not attending the meeting in person using the platform Zoom. A link for the public to access the Board meeting virtually was included on the Board's agenda and posted on its website.

EXECUTIVE SESSIONS

PURPOSE

8:10 a.m. – 8:13 a.m.

Pursuant to 1 M.R.S. § 405(6)(F), 32 M.R.S. § 3300-A, and 22 M.R.S. § 1711-C to protect the licensee's protected health information

8:31 a.m. – 8:38 a.m.

Pursuant to 1 M.R.S. § 405(6)(F) and 10 M.R.S. § 8003-B to discuss confidential information

11:36 a.m. – 11:47 a.m.

Pursuant to 1 M.R.S. § 405(6)(F) and 22 M.R.S. § 1711-C to protect the licensee's protected health information

12:18 p.m. – 12:34 p.m.

Pursuant to 1 M.R.S. § 405(6)(F), 22 M.R.S. § 1711-C and 22 M.R.S. § 4008 to discuss confidential information

RECESSES

9:34 a.m. – 9:45 a.m.

Recess

11:09 a.m. – 11:15 a.m.

Recess

12:37 p.m. – 12:51 p.m.

Lunch

I. Call to Order

Dr. Gleaton called the meeting to order at 8:00 a.m.

A. Amendments to Agenda

Ms. Weinstein moved to amend the following items onto the agenda: CR24-200, CR25-13 consent agreement for approval, AD25-79 and Gabriel Rocha, PA practice agreement for approval. Mr. Flaherty seconded the motion, which passed unanimously.

B. Scheduled Agenda Items (none)

II. Licensing

A. Applications for Individual Consideration

1. Initial Applications

a. Joseph W. Desiato, MD

Dr. Fanjoy moved to table the application and request that Dr. Desiato submit a more robust, structured reentry plan including a practice monitor licensed in Maine. Mr. Sahrbeck seconded the motion, which passed unanimously.

b. Michael Springer, MD

At 8:10 a.m. Mr. Ross moved to enter executive session pursuant to 1 M.R.S. § 405(6)(F), 32 M.R.S. § 3300-A, and 22 M.R.S. § 1711-C to protect the licensee's protected health information. Dr. Waddell seconded the motion, which passed unanimously.

At 8:13 a.m. Ms. Weinstein moved to come out of executive session. Mr. Ross seconded the motion, which passed unanimously.

Mr. Ross moved to grant Dr. Springer's license. Dr. Waddell seconded the motion, which passed unanimously.

c. Robin Dwight Megill, MD

Dr. Nesin moved to direct that Dr. Megill have a § 3286 evaluation or alternatively offered leave to withdraw his license application. Dr. Fanjoy seconded the motion, which passed unanimously.

d. Stephen K. Epstein, MD

Dr. Waddell moved to table the application and request that Dr. Epstein submit additional information and alternatively offered leave to withdraw his license application. Mr. Sahrbeck seconded the motion, which passed 7-0-0-1. Dr. Gleaton was recused from the matter and left the room.

2. Reinstatement Applications (none)

3. Renewal Applications (none)

4. Requests to Convert to Active Status (none)

5. Requests to Withdraw License/License Application (none)

6. Requests for Collaborative/Practice Agreements

a. Gabriel Rocha, PA

At 8:31 a.m. Mr. Flaherty moved to enter executive session pursuant to 1 M.R.S. § 405(6)(F) and 10 M.R.S. § 8003-B to discuss confidential information. Mr. Ross seconded the motion, which passed unanimously.

At 8:38 a.m. Mr. Ross moved to come out of executive session. Ms. Weinstein seconded the motion, which passed unanimously.

Mr. Ross moved to approve Mr. Rocha's practice agreement. Mr. Flaherty seconded the motion, which passed unanimously.

B. Other Items for Discussion

1. Joseph W. Solari, MD

Mr. Ross moved to preliminarily deny Dr. Solari's renewal as active volunteer license for failure to meet Board Rule Chapter 1 Section 6(9)(A)(5) requirement. Dr. Waddell seconded the motion, which passed unanimously.

C. Citations and Administrative Fines (none)

D. Licensing Status Report

This material was presented for informational purposes. No Board action was required.

E. Licensing Feedback (none)

F. Complaint Status Report

This material was presented for informational purposes. No Board action was required.

III. Board Orders/Consent Agreements/Resolution Documents for Review

A. CR23-284 Eric S. Skoblar, MD

Mr. Ross moved to approve and ratify the consent agreement. Dr. Fanjoy seconded the motion, which passed unanimously.

B. CR17-260/CR18-122 G. Paul Savidge, MD

Dr. Nesin moved to approve and ratify the second amendment to consent agreement. Mr. Sahrbeck seconded the motion, which passed unanimously.

C. CR25-13 Clifford R. Peck, M.D.

Mr. Ross moved to approve and ratify the consent agreement. Mr. Sahrbeck seconded the motion, which passed unanimously.

IV. Complaints

1. CR23-164

Dr. Waddell moved to hold an informal conference. Mr. Sahrbeck seconded the motion, which passed unanimously.

2. CR23-238

Dr. Fanjoy moved to dismiss the complaint. Mr. Flaherty seconded the motion, which passed unanimously.

MOTION: The Board initiated this complaint after receiving notification of a medical malpractice settlement regarding the licensee's failure to order appropriate diagnostic imaging which resulted in delayed diagnosis and treatment of an epidural abscess. The Board ordered an expert review of the case which determined that the licensee did not meet the standard of care and lacks clinical knowledge in this area. The licensee's response acknowledges that she made a mistake and did not consider this uncommon diagnosis in a complex patient. She indicates that she has learned a great deal from this case and has since gained knowledge of spinal epidural abscesses. The licensee's response is appropriate, and this case does not support that she is incompetent in her practice of internal medicine or that her care constituted unprofessional conduct.

3. CR24-49

Dr. Nesin moved to investigate further and issue a letter of guidance. Dr. Waddell seconded the motion, which passed unanimously.

4. CR24-91

Dr. Fanjoy moved to investigate further and wait for additional information. Mr. Flaherty seconded the motion, which passed unanimously.

5. CR24-127

Dr. Waddell moved to investigate further and issue a letter of guidance. Ms. Weinstein seconded the motion, which passed unanimously.

6. CR24-128

Mr. Sahrbeck moved to offer a consent agreement requiring that the physician comply with his agreement with the Texas Physician Health Program, reports from the Texas PHP, and assessing a \$100 civil penalty for failure to report termination of employment. Mr. Ross seconded the motion, which passed unanimously.

7. CR24-143

Dr. Waddell moved to dismiss the complaint. Mr. Sahrbeck seconded the motion, which passed unanimously.

MOTION: The complainant alleges improper clinical decision making on the part of the licensee specifically related to the use of bed rails and medications. The complainant also alleges unprofessional behavior (inappropriate joke) on the part of the licensee during at least one face-to-face meeting. The complainant also shares numerous complaints regarding the care facility. Review of the information demonstrates a strained, if not fractured, relationship involving the patient's family, licensee and care facility. Review does not support the allegations of clinical incompetence. The licensee acknowledges the inappropriate, and undeniably counter-productive, use of a poorly timed use of a humorous reference used to describe the patient. Licensee has completed the suggested CME and provided a thoughtful "lessons learned" written response.

8. CR24-179

Mr. Flaherty moved to issue a citation for failure to report termination of clinical privileges and to investigate further. Dr. Waddell seconded the motion, which passed unanimously.

9. CR24-211

Dr. Fanjoy moved to investigate further. Mr. Flaherty seconded the motion, which passed unanimously.

10. CR24-243

Ms. Weinstein moved to offer a consent agreement and to set the matter for an adjudicatory hearing if the consent agreement is not accepted. Mr. Sahrbeck seconded the motion, which passed unanimously.

11. CR24-247

Dr. Nesin moved to dismiss the complaint. Mr. Sahrbeck seconded the motion, which passed unanimously.

MOTION: The complainant asserts that the licensee failed to refill a prescription for a controlled substance, causing the complainant to withdraw “cold turkey”. The licensee’s response outlines early and consistent communication with the complainant regarding the need to taper the medication and the requirements for office visits. The licensee also offered appropriate, evidence based treatment and offered and encouraged referral for appropriate specialty care, which the complainant declined. At the time that the controlled substance prescription was discontinued (due to non-adherence to office visits and failure to present for a urine drug screen) the complainant had been on a very low dose for months and the risk was minimal.

12. CR24-249

Mr. Flaherty moved to investigate further and issue a letter of guidance. Mr. Ross seconded the motion, which passed 7-0-0-1. Mr. Sahrbeck was recused from the matter and left the room.

13. CR24-251

Dr. Waddell moved to dismiss the complaint. Mr. Ross seconded the motion, which passed unanimously.

MOTION: The patient alleges that his surgery was abruptly and inappropriately canceled by the licensee surgeon. The licensee responds that the patient was never offered surgery much less actually scheduled for a procedure. Instead, a second opinion was recommended and properly requested by the licensee. Review of the timely medical records confirms the licensee response.

14. CR24-268

Dr. Waddell moved to investigate further and issue a letter of guidance. Ms. Weinstein seconded the motion, which passed unanimously.

15. CR24-271

Dr. Nesin moved to dismiss the complaint. Mr. Sahrbeck seconded the motion, which passed unanimously.

MOTION: The complainant sustained a severe traumatic brain injury with multiple severe complications in 2021. After hospitalization and return home he established care with the licensee and asserts that:

- The licensee told him that he could not bike, kayak or drive, which caused him to feel handicapped and depressed, and that he has since been able to accomplish all 3 activities.

- In June of 2021 the licensee advised him to get a Power of Attorney, which the complainant did, and suffered some negative consequences as a result of that decision.
- The complainant has not been able to get his medical records from the licensee's practice despite multiple requests and an in-person visit to the office to make that request.

In his response the licensee outlines his care and thought process for this patient. The care was thorough, well documented and appropriate at each step, based on the evaluations performed by the licensee and other professionals involved in the care of the complainant. With each recommendation of restrictions on activity the licensee provided recommendations for care that could result in improvement over time and easing of those restrictions. The licensee was communicative with the complainant and with his caregivers. The licensee did not meet the complainant until 3 months after the Power of Attorney decision was made. Supplemental information indicates that the licensee's practice did assist the complainant in gaining access to his medical records.

16. CR24-274

Dr. Fanjoy moved to dismiss the complaint. Dr. Waddell seconded the motion, which passed unanimously.

MOTION: The patient alleges that the licensee was incompetent in performing a prostate biopsy which resulted in significant gastrointestinal bleeding approximately one week later. The patient states that the licensee appeared to be rushed, that the procedure was painful, and the patient feels his anticoagulation should not have been resumed so quickly. The licensee responds that the patient was treated appropriately and had a standard procedure without immediate complications. The licensee is empathetic to the patient's experience one week later with gastrointestinal bleeding, which is a known complication of the procedure for which the patient had been consented. The medical record supports that the patient was treated within the standard of care.

17. CR24-275

Dr. Fanjoy moved to dismiss the complaint. Dr. Waddell seconded the motion, which passed unanimously.

MOTION: The patient alleges that the licensee provided inappropriate care by recommending a prostate biopsy that was unnecessary. The patient feels the licensee was dishonest and incompetent as he did not acquire a previous MRI done three years prior for comparison and did not discuss all options with the patient. The patient also alleges the licensee falsified medical records and did not obtain prior records or accurate information. The patient experienced a significant lower gastrointestinal bleed one week after his biopsy that required hospitalization and an urgent procedure. The gastrointestinal bleed was a known complication of the procedure. The licensee provides an empathetic response that the patient was treated appropriately, and he denies any unprofessional treatment or incompetence. The medical records corroborate that the patient was treated within the standard of care.

18. CR24-280

Dr. Gleaton moved to dismiss the complaint. Mr. Sahrbeck seconded the motion, which passed unanimously.

MOTION: A patient complains about the care she received by her endocrinologist treating her Type I diabetes of many years' duration. The patient feels that the physician threatened her about connecting and supplying data from an insulin pump to the office to have continued care. Review of the records reveal reasonable care and recommendations that meet the standard of care with a deep concern about hypoglycemic episodes and safety for the patient. The patient may not agree with these concerns or the need to share the insulin pump data to receive optimal care.

19. CR24-282

Mr. Ross moved to dismiss the complaint. Mr. Flaherty seconded the motion, which passed unanimously.

MOTION: A patient complains that the physician assistant lied about the reason to do the cognitive exam, falsely diagnosed him with dementia and should not have notified the Bureau of Motor Vehicles. The physician assistant responded that she regrets that her interactions with the patient were so upsetting and that he has been a patient under her care since 2019. She also states that they did the cognitive test as screening which is recommended by the Centers for Medicare & Medicaid Services and that she notified the Bureau of Motor Vehicles due to the poor score on the test. Review of the records revealed that the patient received reasonable care.

20. CR25-1

Dr. Fanjoy moved to dismiss the complaint. Mr. Ross seconded the motion, which passed unanimously.

MOTION: A patient alleges that the licensee provided inappropriate treatment when he presented to the emergency department for post-operative pain. The patient states that he should not have been given intravenous ketorolac, an NSAID, due to his history of gastric bypass surgery. The patient alleges that they were told by the bariatric surgery office that this medication should not have been given. The licensee responds that his treatment was safe and within the standard of care and resulted in improvement in the patient's pain. Oral NSAIDs are avoided in gastric bypass patients due to risks of ulceration and bleeding, and the patient was not treated with an oral NSAID. The licensee is empathetic and indicates that he will improve his communication with patients regarding similar issues in the future. References from the medical literature and a letter from his medical director support that this treatment given intravenously or intramuscularly is acceptable and safe for treatment of acute pain.

21. CR25-4

Dr. Nesin moved to dismiss the complaint. Ms. Weinstein seconded the motion, which passed unanimously.

MOTION: The complainant is the former spouse of a patient who had been cared for by the licensee in the past. The complainant asserts that in his treatment of the licensee for a major mental health diagnosis he failed to recognize the development of a “social addiction” that resulted in the patient developing an extra-marital relationship, that he did not require the patient to have primary care and did not include psychotherapy in his treatment plan. The licensee responds that his care was appropriate, that psychotherapy was discussed and the patient declined and that there is no such diagnosis as a social addiction and during his care for the patient there were no signs or symptoms of impaired judgment or cognitive issues. The medical records substantiate this.

22. CR25-11

Mr. Ross moved to investigate further, provide the Board’s guidelines regarding medical professionalism and the use of social media, issue a citation for failure to report termination of employment, and request that the licensee complete Board-approved CME regarding professional boundaries and report to the Board what he gained from the course. Mr. Flaherty seconded the motion, which passed unanimously.

23. CR25-14

Dr. Gleaton moved to investigate further and request additional information. Ms. Weinstein seconded the motion, which passed 7-0-0-1. Mr. Flaherty was recused from the matter and left the room.

24. CR25-16

Dr. Nesin moved to accept the licensee’s withdrawal of license while under investigation. Mr. Ross seconded the motion, which passed unanimously.

At 11:27 a.m. the Board revisited the matter and Dr. Nesin moved to rescind the previous motion. Mr. Flaherty seconded the motion, which passed unanimously.

Dr. Nesin moved to deny the licensee’s request for an informal conference and reconsideration of the § 3286 evaluation, direct that she schedule the evaluation within ten days and issue an order directing evaluation if she does not schedule the evaluation. Mr. Flaherty seconded the motion, which passed unanimously.

25. CR25-17

Dr. Fanjoy moved to investigate further and request that the physician submit additional information. Dr. Waddell seconded the motion, which passed unanimously.

26. CR25-21

Mr. Sahrbeck moved to offer a consent agreement to include a reprimand and a \$1500 civil penalty. Mr. Flaherty seconded the motion, which passed unanimously.

27. CR24-168

Mr. Ross moved to accept the physician's withdrawal of license while under investigation. Dr. Fanjoy seconded the motion, which passed unanimously.

28. CR24-169

At 11:36 a.m. Ms. Weinstein moved to enter executive session pursuant to 1 M.R.S. § 405(6)(F) and 22 M.R.S. § 1711-C. Dr. Waddell seconded the motion, which passed 7-0-0-1. Dr. Gleaton was recused from the matter and left the room.

At 11:47 a.m. Mr. Sahrbeck moved to come out of executive session. Mr. Flaherty seconded the motion, which passed 7-0-0-1. Dr. Gleaton was recused from the matter and left the room.

Dr. Nesin moved to request that the licensee convert his license to inactive status and offer a consent agreement for probation and treatment requirements. Mr. Sahrbeck seconded the motion, which passed unanimously.

At 12:52 the Board revisited the matter. The licensee's attorney provided Board staff information that licensee was scheduled to work through April 14th and requested that he be allowed to convert his license to inactive at the conclusion of his shift. The Board agreed.

28A. CR24-200

Dr. Nesin moved to accept the physician's permanent surrender of license while under investigation. Mr. Ross seconded the motion, which passed unanimously.

V. Assessment and Direction

29. AD25-38

Dr. Nesin moved to issue a complaint (**CR25-83**), conduct further investigation and direct that the physician have a § 3286 evaluation. Mr. Sahrbeck seconded the motion, which passed unanimously.

30. AD25-61

Dr. Nesin moved to issue a citation for failure to report discipline and close the matter with no further action upon payment of fine. Dr. Fanjoy seconded the motion, which passed unanimously.

31. AD25-62

Dr. Waddell moved to issue two citations for failure to report discipline and investigate further. Mr. Ross seconded the motion, which passed unanimously.

32. AD25-70

Mr. Ross moved to issue a complaint (**CR25-84**) and direct that the physician have a § 3286 evaluation. Mr. Sahrbeck seconded the motion, which passed 7-0-0-1. Dr. Nesin was recused from the matter and left the room.

33. AD25-79

At 12:18 p.m. Mr. Ross moved to enter executive session pursuant to 1 M.R.S. § 405(6)(F), 22 M.R.S. § 1711-C and 22 M.R.S. § 4008 to discuss confidential information. Mr. Flaherty seconded the motion, which passed 7-0-0-1. Dr. Nesin was recused from the matter and left the room.

At 12:34 p.m. Mr. Sahrbeck moved to come out of executive session. Mr. Ross seconded the motion, which passed 7-0-0-1. Dr. Nesin was recused from the matter and left the room.

Mr. Ross moved to issue a complaint (**CR25-85**), request that the physician voluntarily convert his license to inactive status within 72 hours and issue an order of immediate suspension if he refuses, incorporate all pending matters if this matter proceeds to an adjudicatory hearing and delegate execution of the order to the Board Chair. Mr. Sahrbeck seconded the motion, which passed 7-0-0-1. Dr. Nesin was recused from the matter and left the room.

34. Pending Adjudicatory Hearings and Informal Conferences report

This material was presented for informational purposes. No Board action was required.

35. Consumer Assistance Specialist Feedback

This material was presented for informational purposes. No Board action was required.

VI. Informal Conference (none)

VII. Minutes for Approval

A. March 11, 2025

Mr. Ross moved to approve the March 11th meeting minutes. Mr. Flaherty seconded the motion, which passed 5-0-3-0 with Dr. Gleaton, Dr. Waddell and Mr. Sahrbeck abstaining.

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. David L. Conner, MD

Mr. Sahrbeck moved to automatically suspend Dr. Conner's license for noncompliance with the consent agreement for practicing more than 60 days without an actively engaged Board-

approved practice monitor. Mr. Ross seconded the motion, which passed 7-0-0-1. Dr. Nesin was recused from the matter and left the room.

After further discussion, Mr. Ross moved to request that Dr. Conner submit a plan for practice “wind-down” for review at the May Board meeting and offer a consent agreement amendment to either convert his license to inactive status or surrender his license upon retirement. Mr. Sahrbeck seconded the motion, which passed 7-0-0-1. Dr. Nesin was recused from the matter and left the room.

IX. Adjudicatory Hearing (none)

X. Remarks of Chair

Dr. Gleaton informed the Board that her third term as a Board member will expire on June 30th and she will not be requesting reappointment.

A. BOLIM-BOL Workgroup

Dr. Gleaton discussed the most recent workgroup meeting and noted that the medical and osteopathic boards will be adding an area on their websites specific to the merger feasibility workgroup to post meeting agendas and meeting notes and information.

XI. Executive Director’s Monthly Report

Mr. Terranova informed the Board about the “share act” bill in the US Congress which would allow criminal background checks for all licensure compacts. Mr. Terranova shared statistics from the recent newsletter.

A. Legislative Update

The Board reviewed Mr. Terranova’s written report.

XII. Assistant Executive Director’s Monthly Report

The Board reviewed Ms. Hunt’s written report.

A. IMLC Update

Ms. Hunt provided an update regarding the State of Michigan’s withdrawal from the IMLC compact effective March 28, 2026. This would impact 143 licensees.

XIII. Medical Director’s Report (none)

XIV. Remarks of Assistant Attorney General (none)

XV. Rulemaking

A. Chapter 1 Rule Regarding Physicians

At the February 11th meeting, the Board discussed proposed amendments to the Chapter 1 rule including an increase in certain citation amounts to \$500. However, that change would conflict with 10 M.R.S. § 8003-E which requires the citation amount to be capped at \$200.

Mr. Ross moved to amend the citation section of the rule to set the citation amount for violation of the notification requirements in Section 12, subparagraphs 2, 3, and 5 at \$200. Mr. Sahrbeck seconded the motion, which passed unanimously.

XVI. Policy Review (none)

XVII. FSMB Material (none)

XVIII. FYI

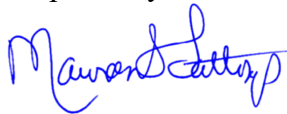
This material was presented for informational purposes. No Board action was required.

XIX. Other Business (none)

XX. Adjournment 1:28 p.m.

At 1:28 p.m. Mr. Flaherty moved to adjourn the meeting. Mr. Ross seconded the motion, which passed unanimously.

Respectfully submitted,



Maureen S. Lathrop
Administrative Assistant