

State of Maine
Board of Licensure in Medicine
137 SHS, 161 Capitol Street
Augusta, Maine 04333-0137
January 11, 2022
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**State of Maine
Board of Licensure in Medicine
137 SHS, 161 Capitol Street
Augusta, Maine 04333-0137
Minutes of January 11, 2022**

Board Members Present: Maroulla S. Gleaton, M.D., Chair; Susan Dench, Public Member; Holly Fanjoy, M.D.; Renee Fay-Leblanc, M.D.; Noel Genova, P.A.; Frederick Goggans, M.D.; Gregory Jamison, RPh, Public Member; Noah Nesin, M.D.; Brad E. Waddell, M.D.; and Lynne M. Weinstein, Public Member.

Board Members Absent: Christopher R. Ross, P.A., Secretary

Board Staff Present: Dennis E. Smith, Executive Director; Timothy E. Terranova, Assistant Executive Director; Kenji Saito, M.D., Medical Director; Julie Best, Complaint Coordinator; Savannah Okoronkwo, Investigative Secretary; Maureen S. Lathrop, Administrative Assistant; Elena I. Crowley, Licensing Specialist; and Tracy Morrison, Licensing Specialist

Attorney General’s Office Staff Present: Michael Miller, Assistant Attorney General

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on August 10, 2021, the Board Chair directed that the January 11, 2022 meeting of the Board be conducted through remote participation of all Board members pursuant to Section 2(A) of that policy. The Board posted notices of this virtual meeting on its website and on the Legislative calendar. In addition, the Board posted a copy of the agenda for the meeting on its website.

Votes were conducted by roll call with members voting “for” “against” or “abstain.”

EXECUTIVE SESSIONS

PURPOSE

10:31 a.m. – 11:54 a.m.

Pursuant to 1 M.R.S. § 405(6)(F), 10 M.R.S. § 8003-B, 24 M.R.S. § 2510 to discuss confidential information

RECESSES

9:10 a.m. – 9:20 a.m.

Recess

10:15 a.m. – 10:27 a.m.

Recess

11:55 a.m. – 12:25 p.m.

Lunch

I. Call to Order

Dr. Gleaton called the meeting to order at 8:02 a.m.

A. Amendments to Agenda

Ms. Dench moved to amend a monitoring report regarding Sarah Greven-Chaousis, P.A. onto the agenda. Ms. Genova seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

B. Scheduled Agenda Items (none)

II. Licensing

A. Applications for Individual Consideration

1. Initial Applications

a. Kathryn Mary Vargo, M.D.

Dr. Waddell moved to offer Dr. Vargo leave to withdraw her license application and if she declines, to investigate further, obtain an expert review of the medical malpractice cases, and order Dr. Vargo to undergo a § 3286 evaluation. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

2. Reinstatement Applications (none)

3. Renewal Applications

a. Michael Eng, M.D.

Dr. Nesin moved to approve Dr. Eng's request for a waiver to renew his license. Ms. Genova seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

4. Requests to Convert to Active Status

a. Dervilla McCann, M.D.

Dr. Waddell moved to offer Dr. McCann an administrative license and if she declines, to preliminarily deny her request for an active clinical license. Dr. Nesin seconded the motion.

A roll call vote was taken, and the motion passed 9 in favor, 1 recused.

Dr. Gleaton: Recused
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

5. Requests to Withdraw License/License Application

a. Samuel Hertig, P.A.

Ms. Genova moved to approve Mr. Hertig's request to withdraw his license application. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

6. Requests for Collaborative/Practice Agreements

a. Tori H. Lowe, P.A.

Ms. Genova moved to approve Ms. Lowe's practice agreement. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

B. Other Items for Discussion (none)

C. Citations and Administrative Fines (none)

III. Board Orders/Consent Agreements/Resolution Documents for Review (none)

IV. Complaints

1. CR19-208

Dr. Gleaton moved to table the matter and offer to allow the physician to withdraw her license with her representation that she will not seek a license in Maine in the future. Ms. Genova seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

2. CR21-57

Dr. Nesin moved to dismiss the complaint. Dr. Fay-Leblanc seconded the motion. A roll call vote was taken, and the motion passed 9 in favor, 1 recused.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: Recused

MOTION: The complainant alleges that delays in treating elevated blood pressure contributed to a myocardial infarction and that delays in referral for endoscopy contributed to a diagnosis of Stage IV esophageal cancer.

The licensee's management of elevated blood pressure readings in the office was within the standards of care and the treatment plan and follow-up instructions were well documented. The licensee's approach to the complainant's gastrointestinal symptoms was also within standards of care and a referral was made (but not completed due to the specialist's office inability to contact the patient) relatively early on in the course of care for this problem. The

licensee's treatment and evaluation of this problem was also impacted by anti-platelet medication the complainant had to take in the aftermath of the myocardial infarction. The treatment plan and differential diagnosis is well documented, as is proposed follow-up.

3. CR21-90 Sandra C. Gilbert-Lord, P.A.

Dr. Waddell moved to dismiss the complaint with a letter of guidance. Ms. Dench seconded the motion.

A roll call vote was taken, and the motion passed 9 in favor, 1 recused.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: Recused
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint was initiated by the Board following a report received pursuant to 24 M.R.S. § 2506 from a health care facility following the physician assistant's termination that she failed to appropriately transfer care of patients when she left her place of employment due to a medical issue. The physician assistant responded to the complaint and additional questions posed by the Board regarding the matter and participated in an informal conference.

The guidance is as follows:

Ensuring that a proper transfer of patient care occurs between treating clinicians is essential and necessary for appropriate continuity of care. This is particularly true in a hospital setting. You should communicate with other medical staff, facility leadership, and most importantly directly with the incoming clinician regarding patient care prior to departing the facility.

4. CR20-156 Aaron Noble Waite, M.D.

Dr. Gleaton moved to dismiss the complaint with a letter of guidance. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For

Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint was initiated by the Board following a report received from the Maine Board of Optometry that the physician allegedly issued renewal prescriptions for contact lenses to two patients based solely on a computer “kiosk exam.” The physician responded to the complaint and provided copies of the patients’ medical records. The Board conducted an investigation, which included his responses to additional questions posed by the Board regarding the matter and an outside expert review.

The guidance is as follows:

In order to avoid patients from providing incorrect information online, such as entering glasses prescription data instead of contact lens prescription data, the online screen which asks for the contact lens box or prescription should more clearly communicate with prospective patients by including wording such as “contact lens box or contact lens prescription (not your glasses prescription - glasses have a different power).”

5. CR21-63

Dr. Waddell moved to dismiss the complaint. Dr. Nesin seconded the motion.

A roll call vote was taken, and the motion passed 9 in favor, 1 recused.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: Recused

MOTION: The patient is unhappy with the surgical outcome after reconstructive surgery. She also expresses multiple concerns regarding communication problems with her surgeon and his practice. Review of the case demonstrates that appropriate clinical care was provided. Many of the issues of concern to the patient were secondary to the unprecedented healthcare

challenges associated with the COVID-19 pandemic. The licensee acknowledges certain opportunities for improvement in terms of communication in his practice.

6. CR21-66

Dr. Nesin moved to investigate further and request that the physician respond to questions.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

7. CR21-192

Ms. Dench moved to dismiss the complaint. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed 9 in favor, 1 recused.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: Recused
Ms. Weinstein: For

MOTION: A physician is caught shoplifting. She has taken complete responsibility for this situation, self-reporting to her employer and the Board of Licensure in Medicine, immediately engaging with a therapist and getting evaluated for substance misuse through the Medical Professionals Health Program, in addition to pleading guilty, completing a prosecution diversion course, paying a fine and restitution to the shop in which this happened. Throughout, the physician continued to work in a safe and professional manner. She continues therapy and has provided detailed insight into her behavior. This provider has the support of the medical staff and administrators on the condition that nothing like this happens again in the future, and of her therapist.

8. CR21-179

Ms. Genova moved to table the matter. Ms. Dench seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

9. CR21-187

Ms. Genova moved to dismiss the complaint. Ms. Dench seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The mother of a teen patient complains of the care her daughter received. The patient was sent home from school with a cough followed by two negative COVID tests. The patient was due for an annual physical examination and the mother preferred she receive the COVID test and physical exam at the same office visit. The physician explained the procedures of walk-in and drive-thru COVID sites, explaining they are set up with proper PPE, personnel and procedures in place necessary to limit exposure to coronavirus and promote a safe experience for all patients and caregivers. The physician was performed less than two weeks later. Appropriate case was provided.

10. CR21-188

Ms. Weinstein moved to dismiss the complaint. Dr. Nesin seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A transgender patient complains the physician refused to provide care or refill his medication. It was explained to the patient that this practice was awaiting a locums and for the brief interim, to have him and all transgender patients see their primary care physician until the new physician trained in transgender care arrived, which was to be in a few weeks. The patient felt he was no longer going to be seen, and alleges he was being discriminated against and discharged from the practice. The physician had recently completed his fellowship, was taking his Boards and did not feel comfortable prescribing with his very limited training in this area. Not only was he new to this practice, he is a new physician.

After a careful discussion and communication regarding risk assessment between the physician named in the complaint and a senior physician whose position is also a liaison to the specialty practices, the prescription was filled within two hours. The physician recognizes he should have tried to explain this to the patient directly and not have a nurse try to explain these details. Appropriate care was provided.

11. CR21-82

Ms. Genova moved to dismiss the complaint. Dr. Nesin seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant is a patient of the licensee, who alleges that the licensee declined to refill a necessary controlled medication because of unfair discrimination against him. The licensee strongly denies the allegation. The licensee indicates, and records support the explanation, that the medication was discontinued because of violations of the controlled substances treatment agreement.

12. ~~CR21-92~~ (not reviewed at the meeting)

13. CR21-96

Ms. Dench moved to dismiss the complaint. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient complains about his evaluation and treatment by an emergency room physician assistant. The patient was concerned about an injury he sustained to his nose bridge. He alleged insufficient evaluation, examination and treatment. Review of the records reveals appropriate care delivered professionally.

14. ~~CR21-114~~ (not reviewed at the meeting)

15. CR21-180

Ms. Weinstein moved to dismiss the complaint. Dr. Waddell seconded the motion.

A roll call vote was taken, and the motion passed 9 in favor, 1 recused.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: Recused

Dr. Waddell: For
Ms. Weinstein: For

MOTION: The foster mother of a pediatric patient complains the physician did not perform an exam appropriately by not communicating he was about to lower the patient's shorts and underwear very briefly to examine his abdomen and then performed an ungloved exam of genitalia.

The exam appears to be appropriate and the physician recognizes that including an explanation of sections of the exam explicitly would be helpful and reassuring to the guardian and/or the patient.

16. CR21-178

Dr. Gleaton moved to investigate further and obtain an expert review. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed 8 in favor, 2 recused.

Dr. Gleaton: For
Ms. Dench: Recused
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: Recused
Ms. Weinstein: For

17. CR21-195 Edward Allen Gill, M.D.

Ms. Weinstein moved to dismiss the complaint with a letter of guidance. Ms. Genova seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For

Ms. Weinstein: For

MOTION: The complaint was initiated by the Board following the physician's failure to complete the Maine jurisprudence examination, which informs applicants for medical licensure in Maine about the laws and rules affecting the practice of medicine, after being notified several times by Board staff regarding the need to complete it as part of the licensure process. The physician responded to the complaint, provided explanations regarding his failure to complete the examination or respond to Board staff, and eventually successfully completed the examination.

The guidance is as follows:

As a medical professional it is important to ensure timely completion of all requirements for medical licensure and to communicate in a timely manner with medical licensing staff.

Executive Session to discuss CR21-191, CR21-210, AD21-217, AD21-220 & AD22-1

At 10:31 a.m. Ms. Dench moved to enter executive session. Ms. Genova seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

At 11:54 a.m. Dr. Fay-Leblanc moved to come out of executive session. Dr. Waddell seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For

Ms. Weinstein: For

Dr. Fay-Leblanc made the following motion with regard to CR21-191, CR21-210, AD21-217, AD21-220 & AD22-1 to further investigate and : 1) issue complaints regarding the three AD matters; 2) issue an order directing the physician to undergo a neuropsychological evaluation to be performed on February 1, 2022; 3) offer the physician twenty-four hours to convert her license to inactive status and if she declines issue an order of immediate suspension and authorize AAG Miller to negotiate an interim consent agreement to continue the license suspension until resolution of these matters; 4) subpoena ten patient charts; 5) request the licensee to answers questions within 30 days; and 6) obtain two expert reviews as identified by staff. Dr. Nesin seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For

Ms. Dench: For

Dr. Fanjoy: For

Dr. Fay-Leblanc: For

Ms. Genova: For

Dr. Goggans: For

Mr. Jamison: For

Dr. Nesin: For

Dr. Waddell: For

Ms. Weinstein: For

18. CR21-191 (see above)

19. CR21-210 (see above)

20. Intentionally left blank

21. Intentionally left blank

V. Assessment and Direction

22. AD21-217 (see above)

23. AD21-220 (see above)

24. AD21-186

Ms. Genova moved to close the matter with no further action. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

25. AD22-1 (see above)

26. Intentionally left blank

27. Pending Adjudicatory Hearings and Informal Conferences Report

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

28. Consumer Assistance Specialist Feedback

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

VI. Informal Conference (none)

VII. Minutes for Approval

Ms. Dench moved to approve the minutes of the December 14, 2021 meeting. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. Frank Richter, M.D.

Dr. Nesin moved to approve Dr. Richter's request for an active license. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed 9 in favor, 1 recused.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: Recused
Ms. Weinstein: For

2. Bart J. DeCristoforo, P.A.

Ms. Genova moved to approve the proposed psychiatrist to conduct Mr. DeCristoforo's medication evaluation. Ms. Dench seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

3. Adam W. Grasso, M.D.

Dr. Fay-Leblanc moved to approve Dr. Grasso's request to terminate the Medical Professionals Health Program monitoring agreement requirement in his consent agreement. Dr. Goggans seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

4. David B. Nagler, M.D.

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

5. Sarah Greven-Chaousis, P.A.

Dr. Nesin moved to approve Ms. Greven-Chaousis' request to terminate her consent agreement. Dr. Goggans seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

IX. Adjudicatory Hearing (none)

X. Remarks of Chair

Dr. Gleaton reminded Board members that any contacts regarding actions taken by the Board should be referred to Board staff.

XI. Remarks of Executive Director

Mr. Smith reminded Board members to avoid any communications regarding matters pending before the Board to avoid the need for recusal.

XII. Assistant Executive Director's Report

Mr. Terranova reported that Savannah Okoronkwo has accepted the position of Consumer Assistance Specialist effective January 17th.

A. Complaint Status Report

As of January 1, 2022 there are one hundred one complaints outstanding. Nine complaints were opened during the month of December and seventeen were closed.

B. Licensing Feedback

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

XIII. Medical Director's Report (none)

XIV. Remarks of Assistant Attorney General (none)

XV. Rulemaking

A. Chapter 11 Joint Rule Regarding Telehealth Standards of Practice

Dr. Nesin moved to approve the Basis Statement and Response to Comments and to repropose the rule with substantive changes. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed 9 in favor, 1 abstained.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: Abstained
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

B. Chapter 12 Joint Rule Regarding Office Based Treatment of Opioid Use Disorder

Dr. Fay-Leblanc moved to approve the Basis Statement and Response to Comments and to repropose the rule with substantive changes. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For

Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

XVI. Policy Review (none)

XVII. Requests for Guidance (none)

XVIII. Standing Committee Reports

A. Licensure and CME Committee

1. Licensing Status Report [Appendix A]

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

XIX. Board Correspondence (none)

XX. FSMB Material

A. Role of the Voting Delegate

Ms. Dench moved to approve attendance of Board members and staff at the Federation of State Medical Boards annual meeting and Dr. Gleaton as voting delegate. Dr. Goggans seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

B. USMLE Updates

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

XXI. FYI

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

XXII. Other Business (none)

XXIII. Adjournment 2:02 p.m.

At 2:02 p.m. Ms. Genova moved to adjourn the meeting. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Ms. Dench: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

Respectfully submitted,

Maureen S Lathrop

Maureen S. Lathrop
Administrative Assistant

Dear Mr. Smith,

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on August 10, 2021, I am directing that the January 11, 2022 meeting of the Board be conducted virtually through exclusively remote participation pursuant to Section 2(A) of that policy. In support of this directive, I have determined that, based on the following circumstances, there exists an emergency or urgent issue which, pursuant to the policy, requires the Board to meet by entirely remote methods on January 11, 2022:

1. The Secretary of the U.S. Department of Health and Human Services first proclaimed on January 31, 2020, and most recently renewed on July 20, 2021, the nationwide public health emergency (PHE) due to the continued consequences of the Coronavirus Disease 2019 (COVID-19) pandemic.
(<https://www.phe.gov/emergency/news/healthactions/phe/Pages/COVID-19July2021.aspx>)
2. The Commissioner of the Maine Department of Health and Human Services declared on July 1, 2021 a health emergency due to the continued consequences of the COVID-19 pandemic, which shall remain in effect through the duration of the PHE declared by the Secretary of the U.S. Department of Health and Human Services.
(<https://www.maine.gov/dhhs/sites/maine.gov.dhhs/files/inline-files/Public%20Health%20Emergency%20Declaration%206-30-21.pdf>)
3. The acting Secretary of the U.S. Department of Health and Human Services wrote a letter to all Governors on January 22, 2021 stating, “To assure you of our commitment to the ongoing response, we have determined that the PHE will likely remain in place for the entirety of 2021, and when a decision is made to terminate the declaration or let it expire, HHS will provide states with 60 days' notice prior to its termination.”
(<https://ccf.georgetown.edu/wp-content/uploads/2021/01/Public-Health-Emergency-Message-to-Governors.pdf>)
4. Efforts to combat the pandemic continue in Maine where, as of December 29, 2021, 104,324 residents have been infected, 3,405 residents have been hospitalized with the virus, and 1,510 people have died from the virus since January 2020.
(<https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus/data.shtml>)
5. As of December 23, 2021, the number of new COVID-19 infections in the State of Maine as confirmed by testing brings the seven-day average of new cases in the State to 769; the number of new cases (confirmed and probable) statewide is 1,426. As of December 29, 2021, the number of current hospitalizations is 331 (with 109 in critical care and 53 on ventilators). As of December 23, 2021, the number of validated vaccine breakthrough cases is 20,909; and as of December 26, 2021, the total number of deaths is 1,510.
(<https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus/data.shtml>)

6. The new infections in the United States and the State of Maine involve the Delta variant, a highly contagious SARS-CoV-2 virus strain, which was first identified in India in December 2020. The Delta variant has increased transmission, increased risk of hospitalization and fatality, decreased susceptibility to therapeutic agents, and has evaded natural or vaccine-induced immunity. As of November 22, 2021, the Delta variant represents 99 percent of all sequenced samples collected in Maine. In December 2021 the Maine CDC identified the Omicron variant in patients in Maine. The Omicron variant – like the Delta variant – is highly transmissible.
<https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/documents/SARS-CoV-2-Sequencing-Summary-12-24-2021.pdf>
7. Also, as a result of the Delta variant and the increase in COVID-19 infections, the United States Centers for Disease Control and Prevention announced on July 28, 2021 that even fully vaccinated individuals should wear masks in indoor public settings in parts of the country that are experiencing a substantial or high transmission of COVID-19. The Maine Center for Disease Control and Prevention has also announced a similar policy.
(<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>)
(<https://www.maine.gov/governor/mills/news/state-maine-follows-updated-us-cdc-recommendations-face-coverings-indoor-public-settings-2021>)
8. As of December 29, 2021, 16 of Maine's counties are now in the “substantial” or “high” transmission categories as defined by the U.S. Centers for Disease Control and Prevention. The U.S. C.D.C. recommends that people in 16 Maine counties with “substantial” or “high” transmission wear face coverings in public indoor settings.
(<https://covid.cdc.gov/covid-data-tracker/#county-view>)
9. An in-person meeting of the Board is foreseeably likely to result in individuals who may reside in counties with “substantial” or “high” transmission, or otherwise be at higher risk of exposure to the COVID-19 virus, including members of the Board, its staff, licensees, and members of the public, gathering indoors.
10. Conducting an in-person Board meeting on January 11, 2022, is not practicable due to the widespread rise in COVID-19 infections and the potential exposure to the COVID-19 virus to Board members and to members of the public. Therefore, I have determined that there is an emergency such that the January 11, 2022 Board meeting shall be held entirely remotely as the best way to protect the safety and wellbeing of the members of the Board, its staff, licensees, and members of the public.

There will be no physical location where members of the public may attend this meeting. The Board will continue to provide members of the public a meaningful opportunity to attend the meeting remotely via Zoom as it has successfully done since April of 2020. Please post this determination to the Board website and update the agenda to include the Zoom information as soon as possible.

Maroulla S Gleaton, MD, Chair

BOARD OF LICENSURE IN MEDICINE

DATE: JANUARY 1, 2022
TO: BOARD MEMBERS
CC:
FROM: TIMOTHY TERRANOVA
RE: LICENSING STATUS REPORT AND LISTS

The following information is included:

- A summary of all new licenses granted in December 2021 by license type (93);
- A list of all individuals granted a new license in December 2021;
- A summary of all pending applications by license type (336);
- A list of online vs. paper renewals in December 2021 by license type (92.97%);
- The number of licenses expired December 31, 2021 (42);
- The number of licenses lapsed for date September 30, 2021 (40); and
- The list of licenses withdrawn in December 2021 (5).

In addition, the overall licensing statistics include:

- The number of active MD licenses (not including EC) on January 1, 2022 (7,073);
- The number of active MD licenses with a Maine address (not including EC) on January 1, 2022 (3,685);
- The number of active PA licenses on January 1, 2022 (1,069);
- The number of active PA licenses with a Maine address on January 1, 2022 (959); and
- The number of licenses pending renewal on January 1, 2022 (64).

We look forward to your feedback.

SELECTION FILE SUMMARY
STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE

Selection File Name: MONTHLY-ISSUED

SUMMARY BY LICENSE PREFIX

EC - TEMPORARY EDUCATIONAL CERTIFICATE		
A - Active	1	
SUBTOTAL:	<u>1</u>	
EL - EMERGENCY 100-DAY LICENSE		
A - Active	3	
SUBTOTAL:	<u>3</u>	
MD - MEDICAL DOCTOR		
A - Active	76	
SUBTOTAL:	<u>76</u>	
PA - PHYSICIAN ASSISTANT		
A - Active	13	
SUBTOTAL:	<u>13</u>	

SUMMARY BY LICENSE STATUS

A - Active	<u>93</u>	
TOTAL ALL LICENSES:	93	

**STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE**

Selection File: MONTHLY-ISSUED

MD24996 - AYAL AIZER, MD

MD25613 - DANIEL BRADLEY ALGERT, MD

MD25553 - MARIA REGINA ASEVEDO, MD

MD25603 - ISA FAREED ASHOOR, MD

EL211146 - BORIS AVEZBAKIYEV, MD

MD25310 - SUMA BABU, MD

MD25405 - ROBERT WADE BAIRD, MD

MD24506 - ELIZABETH BALDINI, MD

MD25600 - CLAUDIA EMERSON BARTOLINI, MD

MD25186 - GASTON CARLOS BASLET, MD

MD25250 - CAROLYN ANN BERNSTEIN, MD

PA2266 - TERESA BERTONI, PA

MD25611 - JERALD BLOCK, MD

MD25370 - TAMARA BRITNEY BOCKOW KAPLAN, MD

PA2284 - AMANDA MARIE BRINKLEY, PA

MD25196 - RAPHAEL BUENO, MD

MD25604 - ANTHONY JAVIER BUSTAMANTE, MD

STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE

PA2277 - ALYSON R. CAREY, PA

MD25231 - THOMAS LEIGH CARROLL, MD

PA2297 - ELISABETH CAWLEY, PA

MD25648 - GEORGE MAURICE CHARRON, MD

MD25369 - TANUJA CHITNIS, MD

MD25288 - NANCY LACKHYUN CHO, MD

MD25307 - SAHIL CHOPRA, MD

MD25576 - STEWART LEITH CHRITTON, MD

PA2298 - VERONICA CECILIA CROWDER, PA

MD25583 - KYLE EVAN CURTIS, MD

MD25607 - HAROLD DELASALAS, MD

MD25595 - JENNIFER LYNN DERENNE, MD

MD25265 - ARJANG DJAMALI, MD

MD25626 - LINDSAY ANNE DUDECK, MD

MD25631 - MICHELLE ELAINE DUMOND, MD

MD25605 - ZEPHYR DAVIS DWORSKY, MD

MD25407 - GERMAN ECHEVERRY, MD

**STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE**

MD25587 - ANGELA MICHELLE EGLY, MD

MD25591 - MELANIE LYNN ENDERWICK, MD

MD25569 - JENNIFER ROSE EVAN, MD

MD25233 - ERIN RUTH FELLER, MD

MD25296 - SARA ALYSON FINKELSTEIN, MD

PA2288 - JEFFERY B. FOX, PA

MD25556 - MILAD MAGDY MILAD FRANCIS, MD

MD25140 - MICHAEL DANIEL GABRIEL, MD

MD25105 - MARK CLYDE GEBHARDT, MD

MD25112 - MOHAMAD AYMAN GHRAOWI, MD

MD25645 - MASUD HABIBULLAH, MD

MD25001 - DANIEL LEE HAMILOS, MD

MD25651 - CHINTAN HARISH KUMAR, MD

MD25422 - ELENA BALESTREIRE HAWRYLUK, MD

MD25330 - KELLI RENEE HICKLE, MD

MD25488 - TRENTON A. HINDS, MD

PA2293 - JAMES ROBERT HOFF III, PA

**STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE**

EL211143 - CEBA LYNN HUMPHREY, MD

MD25354 - CEBA LYNN HUMPHREY, MD

MD25588 - JOHN FIKRY MITYAS IBRAHIM, MD

MD25622 - IKENNA B. ILOKA, MD

PA2290 - HELEN GRACE JORSKI, PA

MD24486 - SARAH MUELLER KADZIELSKI, MD

MD25224 - ALBERT EUSIK KIM, MD

MD25644 - TERESA KUO, MD

MD25324 - JACQUES R. LAROCHELLE, MD

MD25465 - SCOTT DONOVAN LOGAN, MD

MD25550 - BRANDON LUCAS, MD

MD25360 - PAULA MARTIN, MD

MD25419 - TYLER ROBERT MCCLINTOCK, MD

MD25284 - JUSTIN LEE MITCHELL, MD

MD24414 - MEHRDAD ALI MOFEEZ, MD

MD25206 - ALIREZA NADERIPOUR, MD

MD24982 - KATHARINE AMES NICHOLSON, MD

**STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE**

MD25472 - STEVEN THOMAS OLIVE, MD

MD25606 - ANTHONY K. PARK, MD

MD25656 - ANITA DHANSUKH PATEL, MD

PA2177 - DANIELLE S. PERRY, PA

MD25630 - PHUC THIEN PHUNG, MD

MD25432 - RICARDO JOSE QUINTERO-HERENCIA, MD

PA2292 - TOMMY LAMAR RAY, PA

PA2261 - KAITLYN MARY ROSEMAN, PA

MD25510 - SARA ANN SAAD EL-DEIN, MD

EL211142 - RALPH FRANK SANTORO, MD

MD25646 - AMIT SANYAL, MD

PA2294 - SYDNEY HARRISON SCOTT, PA

MD25309 - RYAN ADAM SECAN, MD

MD25413 - ALAN SCOTT SEGAL, MD

MD25433 - MOHAMED RIZK MOHAMED SHOKR, MD

MD25451 - ADA STEFANESCU, MD

MD25618 - KEVIN ADRIAN STERLING, MD

**STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE**

EC211104 - CHRISTOPHER MICHAEL STOLL, MD

MD25483 - CHRISTOPHER MARLOWE TERRIEN III, MD

MD25647 - CHOUA THAO, MD

MD25649 - ROBERT CARL THOMAS, MD

MD25302 - ERIN VANDALE TRAKAS, MD

PA2300 - DAVID CHARLES WALLSTROM, PA

MD25564 - KATHLYN VALLEAU WILDE, MD

MD25650 - SARAT YALAMANCHILI, MD

SELECTION FILE SUMMARY
STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE

Selection File Name: MONTHLY-PENDING

SUMMARY BY LICENSE PREFIX

EC - TEMPORARY EDUCATIONAL CERTIFICATE		
P - Pending	4	
SUBTOTAL:	<u>4</u>	
EL - EMERGENCY 100-DAY LICENSE		
P - Pending	5	
SUBTOTAL:	<u>5</u>	
MD - MEDICAL DOCTOR		
P - Pending	289	
SUBTOTAL:	<u>289</u>	
PA - PHYSICIAN ASSISTANT		
P - Pending	36	
SUBTOTAL:	<u>36</u>	
TM - TELEMEDICINE		
P - Pending	2	
SUBTOTAL:	<u>2</u>	

SUMMARY BY LICENSE STATUS

P - Pending	<u>336</u>	
TOTAL ALL LICENSES:	336	

Online Renew Licensing Adoption by Prefix

Export...

Rows Returned:

DISPLAY_NAME	BRD#	PFX	TOTAL RENEW	ONLINE - COMPLETE	ONLINE - PARTIAL	ONLINE - TOTAL	PAPER	% ONLINE
MEDICINE	376	CP	0	0	0	0	0	0
MEDICINE	376	EL	0	0	0	0	0	0
MEDICINE	376	MD	253	198	33	231	22	91.30
MEDICINE	376	MDA	3	1	2	3	0	100
MEDICINE	376	MDE	18	18	0	18	0	100
MEDICINE	376	MDV	0	0	0	0	0	0
MEDICINE	376	PA	36	23	13	36	0	100
MEDICINE	376	TM	3	3	0	3	0	100

Close

**STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE**

Selection File: WITHDRAWALS

PA1525 - LEANNE CZEKAJ, PA

MD25566 - PATRICK DESMOND KAVANAGH, MD

MD22326 - THOMAS BANCROFT ROSHEK III, MD

MD7441 - SURENDRA K. VARMA, MD

MD16596 - GREGORY A. WALKER, MD