

Board of Licensure in Medicine
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July 8, 2024

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**Maine Board of Licensure in Medicine
Minutes of July 8, 2024
1:04 p.m. – 5:13 p.m.**

Board Members Present: Chair Maroulla S. Gleaton, M.D.; Holly Fanjoy, M.D.; Renee M. Fay-LeBlanc, M.D.; Public Member Gregory Jamison, RPh; Noah Nesin, M.D.; Anthony T. Ng, M.D.; Public Member Jonathan Sahrbeck; Brad Waddell, M.D.; and Public Member Lynne M. Weinstein

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

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

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

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on November 14, 2023, the Board Chair directed that the July 8, 2024 meeting of the Board be conducted through remote participation of all Board members pursuant to Section 2(F) 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

1:42 p.m. – 2:22 p.m.

Pursuant to 10 M.R.S. 8003-B(1) and 24 M.R.S. 2510 to discuss a pending complaint

4:18 p.m. – 4:27 p.m.

Pursuant to 10 M.R.S. 8003-B(1) and 24 M.R.S. 2510 to discuss a pending complaint

RECESSES

2:38 p.m. – 2:48 p.m.

Recess

4:29 p.m. – 4:40 p.m.

Recess

I. Call to Order

Dr. Gleaton called the meeting to order at 1:04 p.m.

A. Amendments to Agenda (none)

B. Scheduled Agenda Items (none)

II. Licensing

A. Applications for Individual Consideration

1. Initial Applications

a. Cristel L. Palma-Vargas, P.A.

Dr. Ng moved to grant the license upon execution of a consent agreement incorporating the reentry to practice plan and delegate signature to the Board Chair. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Jamison:	For
Dr. Nesin:	For
Dr. Ng:	For
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

b. Maryam Zenali, M.D.

Dr. Fay-LeBlanc moved to table Dr. Zenali's application and give her the opportunity to provide the previously requested information prior to the August 12th Board meeting; allow her to withdraw her license while not under investigation and alternatively, preliminarily deny her license application. Dr. Ng seconded the motion.

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

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Jamison:	For
Dr. Nesin:	For
Dr. Ng:	For
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

2. Reinstatement Applications (none)

3. Renewal Applications

a. Sergi Martinez-Ramirez, M.D.

Ms. Weinstein moved to issue a citation to Dr. Martinez-Ramirez for failure to accurately answer a question on his renewal application; request that he provide written confirmation that all responses to questions on his renewal application are correct; and grant the license renewal upon receipt of written confirmation, payment of the fine and issuance of a letter of guidance approved by the Board Chair. Dr. Ng seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

4. Requests to Convert to Active Status (none)

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

6. Requests for Collaborative/Practice Agreements

a. Patrick W. Fisher, P.A.

Dr. Nesin moved to approve PA Fisher's practice agreement. Dr. Ng seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

b. Tiffany L. Leach, P.A.

Dr. Fanjoy moved to approve PA Leach’s practice agreement. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

B. Other Items for Discussion (none)

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

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

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. Cameron R. Bonney, M.D.

Dr. Fay-LeBlanc moved to approve and ratify the third amendment to the consent agreement. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For

Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

IV. Complaints

1. CR23-163

Dr. Nesin moved to table the matter. Dr. Ng seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

2. CR23-264

At 1:42 p.m. Ms. Weinstein moved to enter executive session pursuant to 10 M.R.S. §8003-B(1) and 24 M.R.S. §2510 to discuss a pending complaint. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

Mr. Jamison experienced technical issues and was unable to join the breakout room to participate in the executive session.

At 2:22 p.m. Ms. Weinstein moved to come out of executive session. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: Not present
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

Mr. Sahrbeck moved to offer the physician a consent agreement to include a five-year contract with the MPHP; ongoing psychotherapy to include substance misuse counseling with a Board approved psychiatrist or psychologist; and monthly reports from the MPHP and psychiatrist or psychologist. Alternatively, if the physician does not sign the consent agreement within ten days his license will be immediately suspended. Dr. Fanjoy seconded the motion.

A roll call vote was taken, and the motion passed 8 in favor, 1 abstained.

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: Abstain
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

3. CR23-286 David W. Galbraith, M.D.

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: In this case, the board received a complaint from a patient regarding frustration with securing disability paperwork and in receiving acknowledgement for

messages. In his response, the physician clarified his struggle with managing paperwork confusion and managing message flow patterns in the context of his staffing shortages.

The guidance is as follows: Effective communication between a physician's patients and the medical practice staff improves health care outcomes and assists in creating both understanding and appropriate expectations. It is important to establish a consistent after-hours protocol for receipt and return of patient phone calls. Formalizing practice-patient communication protocols in a written policy would assist in maintaining effective communications.

4. CR24-14

Dr. Waddell moved to table the matter. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

5. CR24-15

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient alleges that there was a delay in diagnosis of ovarian malignancy due to a lack of follow up of an incidental finding on x-ray taken during her evaluation in an emergency room prior to transfer to a higher level of care. Review suggests that the patient's concerns are valid. In response to additional questions, the licensee acknowledges that there is an opportunity for improvement identified in this

case and the licensee has elevated this concern to appropriate leaders in his organization.

6. CR24-23 Jon E. Mendelsohn, M.D.

Mr. Jamison 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
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The Board-issued complaint arose from the physician's failure to complete the Jurisprudence Examination requirement for licensure, notwithstanding having been notified on multiple occasions of the need to complete this requirement. In response to the complaint, the physician completed the required examination.

The guidance is as follows: Great care should be taken when addressing the requirements to obtain and maintain medical licensure. Failure to respond to Board or Board staff communications in a timely manner is unacceptable and considered unprofessional conduct which may result in Board action.

7. CR24-26

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant who is not the patient alleges that the licensee:

- Did not have a face-to-face appointment with the complainant’s husband since November 2020
- That the licensee tapered off one of the patient’s medications without a face-to-face appointment
- That the patient was able to fool the licensee into believing he is fine, and this permitted the medication to be stopped
- That the patient suffered a “mental break” and refused to see the licensee because the patient was told by the licensee that he was fine
- The complainant provided an update and requested that the complaint be dropped as the patient is not willing to sign the co-complaint form

The patient was seen predominantly by telephone. This appeared to have started with Covid precautions. Tele video was offered but the patient did not have the equipment and requested telephone sessions. The patient was seen regularly by the licensee and each encounter seemed to have shown appropriate care and management. One of the medications for the patient was gradually discontinued due to cardiac and weight concerns. The licensee did document the patient was reporting stability and the patient had a second mood stabilizer which he was still taking. One of the patient’s stressors included marital issues which the patient did not give permission for the licensee to speak with to spouse. The spouse did communicate with the covering provider that the patient had started to decompensate and the licensee promptly reached out to the patient and arranged an in-person follow-up which he has had several since. The patient was placed back on the tapered medication due to his symptoms and has been doing well.

At this time, telephonic sessions are still permitted under federal regulation and as such, the licensee was within the standard of care in using only telephone to see the patient which is what the patient wanted. No evidence of deviation of care was found.

8. CR24-27

Dr. Nesin moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant was a patient of the licensee, received a controlled substance prescription which they felt was ineffective and sought a different brand of the same medication. The complainant asserts that a member of the licensee’s office

staff was rude and unprofessional, and advised the complainant to get the medication “on the street” or go to the Emergency Department. The complainant went to the ED, presented the remainder of the current controlled substance prescription and received a new prescription to match that amount of medication. When the licensee reviewed the PMP and learned that the patient had received a prescription for the controlled medicine from another provider, it was deemed a violation of the patient provider agreement, and the complainant was discharged from the practice.

The licensee’s response includes the rationale for strict adherence to the policy and both the licensee and the staff person deny that the patient was told to get the medication “on the street” or to go to the ED.

9. CR24-29 John C. Higgins, M.D.

Dr. Nesin moved to dismiss the complaint with a letter of guidance. Dr. Ng seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: In this case, the Board received a complaint from a patient who felt that during her clinic visit the physician was dismissive of the clinical issues she raised, and he devalued her knowledge of her prior evaluation and clinical status. The complainant also alleged that the physician’s clinical note did not accurately reflect the events of her visit. The physician responded to the complaint, acknowledged the difficult nature of his interaction with her, and stated that his note accurately reflects his exam and his discussion with the patient.

The guidance is as follows:

1. Recognize the importance of empathetic communication with patients.
2. Recognize that comprehending and understanding a patient’s frustration or anger can assist in the de-escalation of challenging patient interactions.
3. Continue availing yourself of appropriate education and/or counseling regarding improved communication with patients.

The Board Guideline “Communicating with Patients” will be included with the letter of guidance.

10. CR24-36

Mr. Jamison moved to dismiss the complaint. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant is not a patient of the licensee. There is no evidence presented of any medical issue involved. The complainant references a civil issue which was adjudicated in October of 2021. The licensee has received counseling and reports very good results and better life choices being made. The Board has dealt with the underlying reported issues previously.

11. CR24-48

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient's mother alleges the licensee was dismissive regarding her child's acute illness and did not conduct the appropriate viral testing or a comprehensive exam. The licensee indicates that the child was well-appearing, and that testing would not have altered clinical management of bronchiolitis. Documentation supports the licensee's rationale and medical decision-making. The patient received appropriate treatment for bronchiolitis which was within the standard of care.

12. CR24-54

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant was a patient of the licensee for a few months, during which he asserts that the licensee misdiagnosed him, started and persisted with a medication that was causing significant side effects, failed to develop an effective treatment plan and to adjust the plan in an effective manner. The complainant also asserts that the licensee was unprofessional in communication and urged him to withdraw the complaint.

The licensee responds in great detail about both the care provided and the thinking behind it (including the medication in question), the complex nature of the complainant's illness and symptoms, and the nature of the communication with the patient about the complainant to BOLIM (including contemporaneous documentation of that discussion). The licensee also explains their communication style and has made some appropriate adjustments based on this complaint.

13. CR24-64

Dr. Waddell moved to investigate further and request that the physician respond to questions from the Board. Dr. Ng seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

14. CR24-75

Dr. Fanjoy moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant alleges that the licensee is dismissive, rude, unprofessional and falsifies the medical record. The patient complains that the licensee does not conduct a full physical exam despite the documentation and that he cancels appointments. The licensee responds that he has provided appropriate care, and the office staff has been professional in its interactions with the patient. The patient’s rebuttal includes multiple allegations that are not substantiated in the medical record. The patient has received appropriate evaluations for her concerns, and her treatment is within the standard of care.

15. CR24-76

Dr. Fay-LeBlanc moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient had POTS disease and suffered a stroke. She was in a nursing home for rehabilitation after the stroke. The patient’s daughter reports that her mother’s symptoms of dizziness improved after receiving meclizine (a medication that treats vertigo) and wanted the provider to order that as an ongoing medication. The daughter notes that her mother was very upset after an interaction with the licensee. The provider reports that the patient did not have a history of vertigo and did not present with vertigo, but with ongoing symptoms of postural hypotension, best treated with midodrine. The provider explains his rationale in his response, including the possible negative side effects of using meclizine in the elderly. The provider indicates that he had several conversations with the patient about his rationale and that she seemed to understand the reasoning and did not appear upset. The provider also notes that the patient’s daughter did not reach out to him with any concerns and that if she had, he would have spoken with her. Medical records indicate that the care provided was appropriate.

16. CR24-50

Dr. Fay-LeBlanc moved to dismiss the complaint. Dr. Nesin seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint revolves around the medical care provided during the patient’s hospitalization. The patient’s daughter reports that the licensee 1) became focused on one possible diagnosis instead of looking into other possibilities, 2) did not listen to the patient’s husband – namely that the patient had received a COVID vaccine 2 days prior to admission and this may have been related to her illness, and 3) the licensee did not communicate well with the family about the patient’s prognosis. The patient presented with multiple thrombi, a CT scan concerning for GI malignancy, ascites, NSTEMI, high WBC count, and hyponatremia. The licensee was working as a hospitalist and was on service for the patient’s admission and the beginning of the hospitalization. Some of the patient’s daughter’s concerns occurred after the licensee was no longer on service. In her response, the licensee explains the work-up that was done. Due to the imaging findings, the licensee felt hypercoagulable state secondary to malignancy was the most likely diagnosis, and GI consultation agreed with this assessment. However, the licensee did document consulting with hematology and ordered a hypercoagulable work-up on hospital day one. As the hospitalization continued, additional imaging didn’t show a discrete malignancy and the antiphospholipid antibody came back positive (this occurred after the licensee was off service). The patient was then diagnosed with Catastrophic Antiphospholipid Antibody Syndrome. Review of the records shows that the licensee was working to determine the underlying cause of the patient’s illness initially focusing on diagnosing a malignancy, but also looked for other possible causes, ordering additional testing which ultimately made the diagnosis. At the time the licensee was caring for the patient, the patient was quite ill, but the diagnosis was not yet known, so the prognosis was also not yet known. The medical records indicate thorough care by this licensee.

17. CR24-61

Dr. Fay-LeBlanc moved to dismiss the complaint. Dr. Ng seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For

Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The adult daughter of a patient reports that the licensee did not explain that medications would be discontinued when the patient transitioned to comfort care and that stopping the medications caused her and her family to have less time with their mother. The licensee's response was very thoughtful, and he expressed his sadness on hearing how much this family has suffered. He explained the course of events and the standard for comfort measures, which is to continue medications which provide comfort and discontinue goal directed therapies. The medical records also reflect that the licensee did hear the family's desire for more time with their loved one. This all occurred during COVID-19 where visiting hours were quite limited. The licensee provided good care.

18. CR24-77

Dr. Fay-LeBlanc moved to dismiss the complaint. Dr. Nesin seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient's daughter reports that the licensee gave her mother a high dose of medication and caused her death. The provider's response explains hospice care and the different levels of care as well as his role in this case. In this case he was the on-call provider and was asked by an RN to place the usual standing order for a newly admitted patient. The licensee placed the standing order, but the care of the patient, and decisions about what prn medications to administer, were made by the nurse practitioners who were on site. The licensee explains that except for a dose of IM Versed which the family consented to, the medications given were the same dosages as what the patient had been on at home hospice although the route was IV and the medication concentrations were different. The licensee also discussed how he and other members of the team attempted to communicate with the complainant and answer her questions. The medical record reveals that appropriate care was provided.

19. CR24-79

Mr. Sahrbeck moved to offer the physician a consent agreement imposing a censure and prohibiting practice outside the scope of his license. Dr. Waddell seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

20. CR24-85

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient alleges that she was encouraged to undergo an unnecessary procedure (upper endoscopy) and that unauthorized additional procedures (biopsies and dilation) were performed without her consent. Review of the complaint, licensee's response and medical records, including procedural consent and the licensee's office documentation of their response to patient concerns, demonstrates that timely and clinically appropriate care was provided.

21. CR24-118

Dr. Fanjoy moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For

Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient alleges the licensee provided inadequate and incompetent care when she was seen in the emergency department for nontraumatic knee pain and swelling. The licensee attempted an arthrocentesis, but fluid was unable to be aspirated. The patient was diagnosed appropriately with a knee hemarthrosis and provided with appropriate discharge instructions and option for follow-up. She returned five days later with increased discomfort and had a successful arthrocentesis for a hemarthrosis and no findings of a septic joint. The licensee's response is appropriate and letters of support attest to his competence. The medical records corroborate the licensee's assessment and treatment which was within the standard of care.

22. CR24-119

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient's aunt complained about the care her niece received by a physician assistant who saw the patient in an emergency department visit in a smaller hospital setting. The 22-year-old patient had a complicated medical history of several serious conditions including Von Willebrand disease. She cut her middle finger when opening a can and presented to the emergency room with her medication in a plastic bag to be administered intravenously since she was told to do so by her hematologist located in Pittsburgh, Pennsylvania. Since the PA had not experienced administering medications brought in from home by patients before, he wanted to review the chart, speak to other physician providers and check with the hospital pharmacy. Before he could go back to treat the patient, she left abruptly against medical advice feeling uncomfortable and unconfident continuing her care with him. He apologized for any misunderstanding and his lack of making her more comfortable but feels he had to proceed carefully to understand delivering the medication under the conditions she

requested. He states that he understands the diagnosis and treatment of Von Willbrand disease. The Board's Communicating with Patients Guidelines will be sent to the licensee.

23. CR24-120

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient's mother complained about the care her daughter received by a physician assistant who saw the patient in an emergency department visit in a smaller hospital setting. The 22-year-old patient had a complicated medical history of several serious conditions including Von Willebrand disease. She cut her middle finger when opening a can and presented to the emergency room with her medication in a plastic bag to be administered intravenously since she was told to do so by her hematologist located in Pittsburgh, Pennsylvania. Since the PA had not experienced administering medications brought in from home by patients before, he wanted to review the chart, speak to other physician providers and check with the hospital pharmacy. Before he could go back to treat the patient, she left abruptly against medical advice feeling uncomfortable and unconfident continuing her care with him. He apologized for any misunderstanding and his lack of making her more comfortable but feels he had to proceed carefully to understand delivering the medication under the conditions she requested. He states that he understands the diagnosis and treatment of Von Willbrand disease. The Board's Communicating with Patients Guidelines will be sent to the licensee.

24. CR24-124

At 4:18 p.m. Dr. Waddell moved to enter executive session pursuant to 10 M.R.S. 8003-B(1) and 24 M.R.S. 2510 to discuss a pending complaint. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For

Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

At 4:27 p.m. Dr. Ng moved to come out of executive session. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

Dr. Waddell moved to investigate further pending resolution of litigation. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

25. Intentionally left blank

26. Intentionally left blank

27. Intentionally left blank

28. Intentionally left blank

29. Intentionally left blank

30. Intentionally left blank

V. Assessment and Direction

31. AD24-99

Dr. Fay-LeBlanc moved to issue a complaint (**CR24-178**), request additional medical records, and obtain an outside expert review. Dr. Fanjoy seconded the motion.

A roll call vote was taken, and the motion passed 8 in favor, 1 recused.

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Jamison:	For
Dr. Nesin:	For
Dr. Ng:	Recused
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

32. AD24-110

Dr. Nesin moved to issue a complaint (**CR24-179**) and direct the physician to undergo a §3286 psychiatric and substance misuse evaluation. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Jamison:	For
Dr. Nesin:	For
Dr. Ng:	For
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

33. AD24-122

Dr. Fanjoy moved to issue a complaint (**CR24-180**) and obtain an outside expert review. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed 8 in favor, 1 recused.

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Jamison:	For
Dr. Nesin:	For

Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: Recused
Ms. Weinstein: For

34. Intentionally left blank

35. Intentionally left blank

36. Pending Adjudicatory Hearings and Informal Conferences Report

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

37. Consumer Assistance Specialist Feedback

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

VI. Informal Conference (none)

VII. Minutes for Approval

Mr. Sahrbeck moved to approve the minutes of the June 11, 2024, meeting. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed 6 in favor, 2 abstained.

Dr. Gleaton: Abstain
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Ng: Abstain
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. Amanda E. Buzzell, P.A.

Dr. Nesin moved to approve Ms. Buzzell's request to terminate her consent agreement. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton: For

Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Negin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

2. Bernard H. Perlmann, M.D.

Dr. Fay-LeBlanc moved to request that the physician comply with the terms of his consent agreement and have an approved monitor by August 10, 2024, or his license will be automatically suspended per the terms of his consent agreement. Dr Ng seconded the motion.

A roll call vote was taken, and the motion passed 8 in favor, 1 recused.

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Jamison: For
Dr. Negin: Recused
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

IX. Adjudicatory Hearing (none)

X. Remarks of Chair

Dr. Gleaton reported on her attendance at the FSMB Workforce Symposium.

XI. Remarks of Executive Director

Mr. Terranova reported that a new physician assistant member has been appointed to the Board and will hopefully be able to attend the August meeting.

Mr. Terranova reminded the Board that the IV Hydration Workgroup will meet on July 16th.

Mr. Terranova informed the Board that staff is hosting an FSMB/AIM training for licensing specialists later this month.

Mr. Terranova discussed the potential that the Adjudicatory Hearing regarding Dr. Ian Reight may continue into September and October.

A. MPHP Annual Report (FYI)

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

XII. Assistant Executive Director's Report (none)

XIII. Medical Director's Report (none)

XIV. Remarks of Assistant Attorney General

AAG Miller updated the Board on the status of appeals filed by Dr. Cathleen London and Dr. Meryl Nass.

XV. Rulemaking (none)

XVI. Policy Review

A. BOLIM's Jurisprudence Exam Policy

Dr. Ng moved to approve amendments to the Board's Jurisprudence Exam Policy. Dr. Waddell seconded the motion.

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

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Jamison:	For
Dr. Nesin:	For
Dr. Ng:	For
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

XII. FSMB Material (none)

XIII. FYI

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

XIX. Other Business (none)

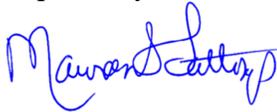
XX. Adjournment 5:13 p.m.

At 5:13 p.m. Mr. Sahrbeck 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
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Jamison:	For
Dr. Nesin:	For
Dr. Ng:	For
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

Respectfully submitted,



Maureen S. Lathrop
Administrative Assistant



Janet T. Mills
GOVERNOR

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE
137 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0137

Maroulla S. Gleaton, MD
CHAIR

Timothy E. Terranova
EXECUTIVE DIRECTOR

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on November 14, 2023, I have approved all Board members to participate remotely for the July 8, 2024, meeting of the Board pursuant to Section 2(F) of that policy.

Members of the public may attend this meeting in-person at the Board’s Offices at 161 Capitol St, Augusta, Maine. The Board will also continue to provide members of the public with a meaningful opportunity to attend the meeting remotely via Zoom. Please post this approval 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

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