

State of Maine  
Board of Licensure in Medicine  
137 SHS, 161 Capitol Street  
Augusta, Maine 04333-0137  
May 10, 2022  
Minutes Index

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I. Call to Order .....	1
A. Introduction of New Staff Member.....	2
B. Amendments to Agenda.....	2
C. Scheduled Agenda Items (none)	
II. Licensing	
A. Applications for Individual Consideration	
1. Initial Applications	
a. Robert H. Rossero, MD .....	2
2. Reinstatement Applications (none)	
3. Renewal Applications	
a. William Nugent, MD .....	3
b. Robert Howard, MD .....	3
4. Requests to Convert to Active Status	
a. Marc C. DeBell, MD.....	3-4
5. Requests to Withdraw License/License Application (none)	
6. Requests for Collaborative/Practice Agreements	
a. Angela Coton, PA .....	4
B. Other Items for Discussion (none)	
C. Citations and Administrative Fines (none)	
D. Licensing Status Report .....	4
E. Licensing Feedback .....	5
III. Board Orders/Consent Agreements/Resolution Documents for Review (none)	
IV. Complaints	
1. CR 21-73 .....	5
2. CR21-103 .....	5
3. CR21-169 .....	5-6
4. CR21-159 .....	6
5. CR21-175 .....	6
6. CR21-193 .....	7
7. CR21-207 .....	7
8. CR22-56 .....	7
9. CR21-205 .....	7-8
10. CR21-215 .....	8
11. CR22-8 .....	8-9
12. CR22-9 .....	9
13. CR22-10 .....	9-10
14. CR22-12 .....	10
15. CR22-67 .....	10
16. CR21-114 .....	10-11

17. CR22-17	11-12
18. CR22-18	12
19. CR22-16	12
20. CR21-81	13
21. CR22-34	13-14
22. CR 22-41	14
23. CR22-44 (amended off agenda)	
24. CR22-46	14-15
25. CR22-49	15
26. CR22-54	15-16
27. CR22-59	16
28. CR22-60	16
29. CR22-86	16-17
V. Assessment and Direction	
30. AD21-216	17
31. AD22-37	17
32. Intentionally left blank	
33. Pending Adjudicatory Hearings and Informal Conferences report	17
34. Consumer Assistance Specialist Feedback (none)	
VI. Informal Conference (none)	
VII. Minutes of April 12, 2022	18
VIII. Consent Agreement Monitoring	
A. Monitoring Reports	
1. Cameron R. Bonney, M.D.	18
2. Arthur Blake, M.D.	18-19
3. Bruce G. Manley, M.D.	19
4. James Gillen, P.A.	19
5. Marc C. DeBell, M.D.	19
IX. Adjudicatory Hearing (none)	
X. Remarks of Chair	
A. AIM/FSMB Meeting	19-20
XI. Remarks of Executive Director	
A. Letter to BOLIM from Senators Keim and Moore	20
XII. Assistant Executive Director's Monthly Report	20
A. Complaint Status Report	20
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	20-21
B. Chapter 12 Joint Rule Regarding Office Based Treatment of Opioid Use Disorder	21
XVI. Policy Review (none)	
XVII. Requests for Guidance (none)	
XVIII. Board Correspondence (none)	
XIX. FSMB Material (none)	
XX. FYI	21
XXI. Other Business (none)	

XXII. Adjournment ..... 21-22

**State of Maine  
Board of Licensure in Medicine  
137 SHS, 161 Capitol Street  
Augusta, Maine 04333-0137  
Minutes of May 10, 2022**

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

**Board Members Absent:** Christopher R. Ross, P.A., Secretary and Gregory Jamison, RPh, Public Member

**Board Staff Present:** Dennis E. Smith, Executive Director; Timothy E. Terranova, Assistant Executive Director; Savannah Okoronkwo, Consumer Assistance Specialist; Faith McLaughlin, Investigative Secretary; Maureen S. Lathrop, Administrative Assistant; Tracy Morrison, Licensing Specialist and Lisa Reny, Licensing Specialist.

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

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In accordance with the “Board Member Remote Participation Policy” adopted by the Board on August 10, 2021, the Board Chair directed that the May 10, 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.”

<b>EXECUTIVE SESSIONS</b>	<b>PURPOSE</b>
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None

**RECESSES**

9:23 a.m. – 9:36 a.m.	Recess
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10:55 a.m. – 11:09 a.m.	Recess
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12:15 p.m. – 12:47 p.m.	Lunch
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**I. Call to Order**

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

### **A. Introduction of New Staff Member**

Mr. Smith introduced Faith McLaughlin the newly hired Investigative Secretary.

### **B. Amendments to Agenda**

Ms. Genova moved to amend CR22-86 onto the agenda and CR22-44 off the agenda. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

### **C. Scheduled Agenda Items (none)**

## **II. Licensing**

### **A. Applications for Individual Consideration**

#### **1. Initial Applications**

##### **a. Robert H. Rossero, M.D.**

Ms. Genova moved to approve Dr. Rossero's license application and reentry to clinical practice plan based on his representation that he will complete the plan and a report will be submitted to the Board upon completion. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**2. Reinstatement Applications (none)**

**3. Renewal Applications**

**a. William Nugent, M.D.**

Dr. Nesin moved to approve Dr. Nugent’s license application. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**b. Robert Howard, M.D.**

Dr. Waddell moved to allow Dr. Howard to withdraw his renewal application while under investigation and obtain an expert review of the medical malpractice case if he opts not to withdraw his application. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**4. Requests to Convert to Active Status**

**a. Marc C. DeBell, M.D.**

Dr. Nesin moved to preliminarily deny Dr. DeBell’s request to convert his license to active status, issue a citation for his failure to report action taken by the Drug Enforcement Administration, offer an amendment to his consent agreement to include a warning, incorporate his proposed reentry to clinical

practice plan, extend MPHP monitoring requirements to 5 years from execution of the consent agreement amendment, and include a provision for automatic suspension of his medical license for a positive test result. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

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

**6. Requests for Collaborative/Practice Agreements**

**a. Angela Coton, P.A.**

Ms. Genova approved Ms. Coton's request to withdraw her proposed practice agreement. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**B. Other Items for Discussion (none)**

**C. Citations and Administrative Fines (none)**

**D. Licensing Status Report [Appendix A]**

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.

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

## **IV. Complaints**

### **1. CR21-73**

Ms. Genova moved to table the matter. Dr. Goggans seconded the motion.

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

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

### **2. CR21-103**

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

A roll call vote was taken, and the motion passed 7 in favor, 1 recused.

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

**MOTION:** The patient's mother alleges that the licensee performed unnecessary surgery on her young child. Review of the records indicates that the surgery was clinically indicated under the circumstances.

### **3. CR21-169**

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



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

**MOTION:** A patient complains about the care she received from her pain management physician of six years who treated her pain associated with a gynecologic pain syndrome and orthopedic injuries. The patient felt that the physician did not listen to her concerns and that the controlled substance prescribing laws of Maine do not allow a physician to use their judgement. Review of the records reveals appropriate, reasonable pain management and medical care.

**4. CR21-159**

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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**MOTION:** The patient complains that the licensee discontinued his methadone for the treatment of pain. Review of the medical records and the PMP show that the provider did follow the standard of care and did offer to continue to treat the patient's pain, just not with methadone.

**5. CR21-175**

Ms. Weinstein moved to close the matter with no further action as the complainant was able to obtain her medical records and the physician allowed his license to expire while under investigation which will be reported to the National Practitioner Data Bank and the Federation of State Medical Boards. Dr. Goggans seconded the motion.

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

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

**6. CR21-193**

Dr. Waddell moved to investigate further and interview the pre-op nurse who interacted with the patient. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**Motion Regarding CR21-207 and 22-56**

**7. CR21-207**

**8. CR22-56**

Dr. Nesin moved to offer the physician a consent agreement to include: completion of Board-approved education regarding medical record documentation, prescribing and management of controlled substances, and treatment of opioid use disorder; a practice monitor; expert review of cases involving opioid prescriptions; prescribing restrictions; and use of universal precautions. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**9. CR21-205**

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

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

**MOTION:** A patient being treated in a facility complains the physician was negligent by misdiagnosing her and failed to provide this patient with appropriate and

compassionate care. The physician was aware of the patient's history of a past head injury, however her current symptoms and course of illness were not consistent with a traumatic brain injury. The patient was admitted for psychiatric symptoms after discontinuing her medication. The patient's history showed improvement when she complied with her recommended treatment and when she did not comply with this regimen, her condition deteriorated.

Careful review of the record reveals an evaluation, treatment plan and appropriate standard of care provided.

#### **10. CR21-215**

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

A roll call vote was taken, and the motion passed 7 in favor, 1 recused.

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

**MOTION:** The complainant is a patient who saw the licensee one time when the patient's primary care provider (PCP) was unavailable.

The patient is complex medically, socially and psychiatrically. She complains that the licensee discontinued her PCP's care of symptoms attributable to mold exposure. Records do not confirm either that the PCP was treating the patient for mold exposure, nor that the licensee stopped any aspect of care which the PCP had in place. The records do reflect offers of appropriate, compassionate care.

#### **11. CR22-8**

Dr. Goggans 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For

Dr. Waddell: For  
Ms. Weinstein: For

**MOTION:** A patient complains that a physician was disrespectful, condescending, and made inappropriate comments that had a negative impact on the patient's health. The physician explained the treatment provided to the patient, denied making inappropriate comments, and indicated that he would be more conscientious regarding the use of a patient's preferred pronouns in medical records. Review of records reflects appropriate care.

## 12. CR22-9

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

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

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

**MOTION:** The complainant alleges that the licensee inappropriately prescribed her mirtazapine and failed to disclose facts about the medication. The patient alleges that she developed GI symptoms including constipation after taking the medication for a few days. She also alleges ongoing issues including Barrett's esophagus secondary to her constipation from taking this medication. The patient claims that her primary care provider's (PCP) office did not return calls and that she did not hear back after reaching out to a patient advocate associated with that service.

Medical records were reviewed, and medical care rendered by the licensee was felt to be appropriate, including referral to a gastrointestinal specialist. The PCP's office communication was appropriate and well documented. The patient was also referred to a patient safety and complaint specialist and her care was reviewed with the quality service leader for family medicine. These individuals communicated with the patient to discuss her concerns and it was felt that the licensee's care was satisfactory.

## 13. CR22-10

Ms. Weinstein moved to dismiss the complaint. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**MOTION:** A patient complains the physician was late for the appointment and feels an incorrect dose of medication was prescribed. The patient attempted to contact the practice repeatedly and did not receive a call back for three weeks. The physician was unaware of the half dozen calls made to the practice but communicated with the patient directly when he was eventually notified and was able to answer the pending questions. The practice manager addressed the challenges of physician and staff shortages and the measures being implemented to correct communication issues. Unfortunately, this patient was seen during a large gap in staffing and his needs were not met by the practice. The practice manager reached out as well to apologize.

**Motion Regarding CR22-12 and CR22-67**

**14. CR22-12**

**15. CR22-67**

Dr. Gleaton moved to table both matters. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**16. CR21-114 Thomas L. Johnson, M.D.**

Dr. Nesin moved to dismiss the complaint with a letter of guidance. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**MOTION:** The complaint was filed by a patient who alleged the physician failed to timely notify him regarding certain incidental findings on an imaging examination, which delayed care and treatment. The physician responded to the complaint and explained his care and treatment. In addition, he responded to additional written questions posed by the Board. Medical documentation indicates that the physician's office received the results of the imaging studies, which he reviewed the day after receipt. However, there is no medical documentation indicating that the imaging results were communicated to the patient or that the imaging results were discussed with the patient during an in-person visit six months later.

The guidance is as follows: Timely communication of the results of medical studies to patients is very important to the delivery of care and to shared medical decision making with patients. Untimely communication of the results of medical studies can result in delay in treatment, patient harm, and undermine the physician-patient relationship. In addition, you should ensure that patient medical records include all communications with patients, whether outside an office visit or during an office visit.

## 17. CR22-17

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

A roll call vote was taken, and the motion passed 7 in favor, 1 recused.

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

**MOTION:** The licensee is a physician assistant employed in an urgent care. The complainant is the daughter of a patient that was seen in urgent care for abnormal menstrual bleeding. The complainant alleges that the physician assistant forcefully attempted a vaginal speculum exam despite the patient's discomfort, made inappropriate comments, was aggressive when disposing of the speculum, and created an uncomfortable and unsafe situation for the patient.

The medical record was reviewed. The care rendered by the licensee was felt to be appropriate. The licensee does apologize for any unintended pain or distress that occurred to this patient. The licensee had immediately discontinued the pelvic exam when the patient expressed her discomfort. The licensee also appropriately utilized a female chaperone during the exam, which is important not only to provide some comfort for the patient but to protect both the patient and the provider during sensitive physical exams. The available information, which includes a statement from the ED tech chaperone, does not support that there was any deviation from the standard of care in regard to professionalism.

#### **18. CR22-18**

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

**MOTION:** The patient reports that the licensee laughed at her when she was describing some of her symptoms. Review of the medical record shows that the licensee did listen to the patient and documented her symptoms in a professional manner. Medications and a referral were discussed, and follow-up was planned. The licensee followed the standard of care.

#### **19. CR22-16**

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

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

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

**20. CR21-81 Erin E. Piontek, M.D.**

Dr. Nesin moved to dismiss the complaint with a letter of guidance. Dr. Fay-Leblanc seconded the motion.

A roll call vote was taken, and the motion passed 7 in favor, 1 recused.

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

**MOTION:** The complaint was filed by a patient who suffered a seizure which she attributed to a high dose of medication that the physician prescribed. The physician responded to the complaint, explained her care and treatment, and indicated that she wrote a prescription for medication to be taken “twice a day” so the patient could obtain more of the medication (i.e., it would save her money) but that she verbally instructed the patient to take the prescribed medication only once per day. In addition, the physician responded to additional written questions posed by the Board, including the failure to document the discussion with the patient regarding the prescription and dosage.

The guidance is as follows: There are significant patient safety and physician ethical concerns with writing prescriptions for medications that contain directions other than what is actually intended for the patient. The patient may take a medication as directed by the written prescription and not as verbally instructed, which may cause the patient to take an excessive dose and could lead to patient harm. Maintaining accurate medical records is required and relied upon by the patient and all persons involved in the patient’s care. The American Medical Association Principles of Medical Ethics requires physicians to “be honest in all professional interactions,” which includes issuing accurate prescriptions for medications. The Board urges that you and your practice identify alternative patient support services for access to prescription medications.

**21. CR22-34**

Ms. Genova moved to table the matter. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**22. CR22-41**

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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**MOTION:** The complainant is a patient seen in the emergency department for diverticulitis. The patient alleges that the licensee falsified her medical records by documenting the patient received IV treatments and was placed on a cardiac monitor. The patient also complains that there was a delay in requested medication and that she requested but did not receive IV fluids. She also felt she was inappropriately treated with only one antibiotic and believed the severity of her CT findings of diverticulitis warranted different treatment.

The licensee named in the complaint was not the provider who treated the patient.

The medical record was reviewed including a response from the licensee who treated this patient. The care of the patient was felt to be appropriate. The patient was given appropriate instructions to return for worsening of her condition. The licensee who did provide care does take responsibility for the mistake in documentation that occurred from a scribed note, but it was inconsequential in the care of the patient.

**23. CR22-44(amended off agenda)**

**24. CR22-46**

Dr. Fay-Leblanc moved to table the matter. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

## 25. CR22-49

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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**MOTION:** The patient complains that the provider discontinued a medication based on the patient's past history of substance use disorder. Review of the records indicate the provider followed the standard of care.

## 26. CR22-54

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

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

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

**MOTION:** The patient alleges that the licensee was unprofessional. The licensee responds that the patient was hostile and aggressive to the point that a call was made

for security. Staff documentation in the medical records supports the points made by the licensee.

**27. CR22-59**

Dr. Gleaton moved to table the matter. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**28. CR22-60**

Dr. Nesin moved to investigate further to obtain additional records and request that the physician respond to questions from the Board. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**29. CR22-86 (amended onto agenda)**

Dr. Waddell moved to summarily suspend the physician's license; offer the physician 24 hours to convert his license to inactive status until resolution of the complaint in lieu of the summary suspension; offer to accept permanent surrender of the physician's license; and obtain an evaluation at Vanderbilt unless the physician opts to surrender his license. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

## **V. Assessment and Direction**

### **30. AD21-216**

Ms. Weinstein moved to issue a complaint (**CR22-95**) and obtain a § 3286 psychiatric and substance misuse evaluation. 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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

### **31. AD22-37**

Dr. Waddell moved to close the matter with no further action. Ms. Genova seconded the motion, which passed unanimously.

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

### **32. Intentionally left blank**

### **33. Pending Adjudicatory Hearings and Informal Conferences Report**

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

### **34. Consumer Assistance Specialist Feedback (none)**

#### **VI. Informal Conference (none)**

#### **VII. Minutes for Approval**

##### **A. April 12, 2022**

Dr. Fay-Leblanc moved to approve the minutes of the April 12, 2022 meeting. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed 7 in favor, 1 abstained.

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

#### **VIII. Consent Agreement Monitoring**

##### **A. Monitoring Reports**

##### **1. Cameron R. Bonney, M.D.**

Dr. Fay-Leblanc moved to request additional information regarding supervision and proposed work hours. Dr. Goggans seconded the motion.

A roll call vote was taken, and the motion passed 7 in favor, 1 recused.

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

##### **2. Arthur Blake, M.D.**

Dr. Fay-Leblanc moved to clearly communicate to Dr. Blake the reporting requirements in his consent agreement and notify him that his license will be

suspended if he is found in noncompliance with these requirements. Dr. Goggans seconded the motion.

A roll call vote was taken, and the motion passed 6 in favor, 1 abstained, and 1 recused.

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

**3. Bruce G. Manley, P.A.**

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

**4. James Gillen, P.A.**

Dr. Nesin moved to terminate the MPHP monitoring requirement in Mr. Gillen's consent agreement. Ms. Genova seconded the motion.

A roll call vote was taken, and the motion passed 6 in favor, 1 against, and 1 abstained.

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

**5. Marc C. DeBell, M.D.**

The Board reviewed the information presented. No action was taken.

**IX. Adjudicatory Hearing (none)**

**X. Remarks of Chair**

**A. AIM/FSMB Meeting**

The Board reviewed a memo prepared by Mr. Terranova with bullet points from the Administrators in Medicine and Federation of State Medical Boards (FSMB) annual meetings. Dr. Gleaton, Dr. Fay-Leblanc and Ms. Weinstein shared comments regarding the FSMB meeting.

**XI. Remarks of Executive Director**

**A. Letter to BOLIM from Senators Keim and Moore**

The Board reviewed a letter from Senators Keim and Moore together with the newsletter article that formed the basis of the letter to BOLIM. Mr. Smith introduced the discussion by reminding the Board that all draft articles are e-mailed to Board members for review prior to publication which occurred in this case. Mr. Smith then turned the matter over to the Board Chair who led further discussion regarding the letter. Following comments by a number of Board members in response to the letter, Dr. Gleaton closed the discussion.

**XII. Assistant Executive Director's Report**

The Board reviewed Mr. Terranova's written report.

**A. Complaint Status Report**

As of May 1, 2022, there are one hundred sixteen complaints outstanding. Ten complaints were opened during the month of April and sixteen were closed.

**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. Goggans moved to adopt the rule and basis statement and response to comments. 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  
Ms. Genova: For  
Dr. Goggans: For

Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

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

Dr. Goggans moved to adopt the rule and basis statement and response to comments.  
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  
Ms. Genova: For  
Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

**XVI. Policy Review (none)**

**XVII. Requests for Guidance (none)**

**XVIII. Board Correspondence (none)**

**XIX. FSMB Material (none)**

**XX. FYI**

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

**XXI. Other Business (none)**

**XXII. Adjournment 2:48 p.m.**

At 2:48 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  
Dr. Fanjoy: For  
Dr. Fay-Leblanc: For  
Ms. Genova: For



Dr. Goggans: For  
Dr. Nesin: For  
Dr. Waddell: For  
Ms. Weinstein: For

Respectfully submitted,

A handwritten signature in blue ink that reads "Maureen S. Lathrop". The signature is written in a cursive style with a large initial 'M' and 'L'.

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 May 10, 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 May 10, 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 April 16, 2022, the nationwide public health emergency (PHE) due to the continued consequences of the Coronavirus Disease 2019 (COVID-19) pandemic. (<https://aspr.hhs.gov/legal/PHE/Pages/COVID19-12Apr2022.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 May 3, 2022, 247,069 residents have been infected (179,034 confirmed and 68,035 probable), 4,743 residents have been hospitalized with the virus, and 2,291 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 May 3, 2022, 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 619.16; the number of new cases (confirmed and probable) statewide is 3,715; the number of current hospitalizations is 150 (with 29 in critical care); the number of validated vaccine breakthrough cases is 82,544; the total number of deaths is 2,291. (<https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus/data.shtml> )

6. Viruses like SARS-CoV-2 continuously evolve. The Omicron variant of SARS-CoV-2 (including B.1.1.529, BA.1, BA.1.1, BA.2, BA.3, BA.4 and BA.5 lineages) is currently classified as a Variant of Concern. As of May 3, 2022, the Omicron variant represents 100 percent of all sequenced samples collected in Maine.
7. As of May 3, 2022, 11 of Maine's counties are in the “low”, 4 counties (Franklin, Knox, Lincoln & Sagadahoc) are in the “medium” and 1 county (Aroostook) is in the “high” transmission category as defined by the U.S. Centers for Disease Control and Prevention.
8. On May 4, 2022, the Federation of State Medical Boards (“FSMB”) issued a notification that a number of attendees at the FSMB’s annual meeting, which was held in New Orleans, Louisiana between April 27-30, 2022, “reported positive COVID-19 tests upon return to their homes.” The FSMB notification also urged attendees to “exercise diligence, monitor your own health, and take precautionary measures as may be appropriate.” Three members of the Board and three members of the Board staff attended the FSMB meeting and at times were in close contact with one another.
9. On May 5, 2022, a member of the Board staff who attended the FSMB meeting tested positive for COVID-19 and was in the Board office for eight hours with other staff on May 3, 2022.
10. An in-person meeting of the Board is foreseeably likely to result in an increased risk of exposure to the COVID-19 virus, which has an incubation period of 2-14 days before the onset of symptoms, including members of the Board, its staff, licensees, and members of the public.
11. Conducting an in-person Board meeting on May 10, 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, Board staff and to members of the public. Therefore, I have determined that there is an emergency such that the May 10, 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 Maine Board of Licensure in Medicine

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**BOARD OF LICENSURE IN MEDICINE**

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**DATE:** MAY 2, 2022  
**TO:** BOARD MEMBERS  
**CC:**  
**FROM:** TIMOTHY TERRANOVA  
**RE:** LICENSING STATUS REPORT AND LISTS

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The following information is included:

A summary of all new licenses granted in April 2022 by license type (98);

A list of all individuals granted a new license in April 2022;

A summary of all pending applications by license type (433);

A list of online vs. paper renewals in April 2022 by license type (90.10%);

The number of licenses expired April 30, 2022 (51);

The number of licenses lapsed for date January 31, 2022 (48); and

The list of licenses withdrawn in April 2022 (5).

In addition, the overall licensing statistics include:

The number of active MD licenses (not including EC) on May 2, 2022 (7,244);

The number of active MD licenses with a Maine address (not including EC) on May 2, 2022 (3,730);

The number of active PA licenses on May 2, 2022 (1,088);

The number of active PA licenses with a Maine address on May 2, 2022 (977); and

The number of licenses pending renewal on May 2, 2022 (51).

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

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**SUMMARY BY LICENSE PREFIX**

<b>EC - TEMPORARY EDUCATIONAL CERTIFICATE</b>		
A - Active	1	
SUBTOTAL:	1	
<b>EL - EMERGENCY 100-DAY LICENSE</b>		
A - Active	2	
SUBTOTAL:	2	
<b>MD - MEDICAL DOCTOR</b>		
A - Active	83	
SUBTOTAL:	83	
<b>MDA - MEDICAL DOCTOR ADMINISTRATIVE</b>		
A - Active	1	
SUBTOTAL:	1	
<b>PA - PHYSICIAN ASSISTANT</b>		
A - Active	11	
SUBTOTAL:	11	

**SUMMARY BY LICENSE STATUS**

A - Active	98	
<b>TOTAL ALL LICENSES:</b>	<b>98</b>	

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

Selection File: MONTHLY-ISSUED

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**MD26013 - EDUARDO DIEGO ABARCA-ROJAS, MD**

**MD26035 - AKINYINKA ABIDEMI AJELABI, MD**

**MD26041 - RACHEL M. ALLEN, MD**

**MD26011 - MONA EL SAYED ALQULALI, MD**

**EL221015 - LORI JEAN ANDERSON, MD**

**PA2349 - PHILIPPE D. ANDRE, PA**

**MD26072 - SEAN ARORA, MD**

**MD25207 - HASNAIN ARSHAD, MD**

**MD25996 - OMAVI FOLU BAILEY, MD**

**MD25815 - ANGELA ROSALIA BANKS PAULINO, MD**

**MD25659 - PUNEET VICTOR BANSAL, MD**

**MD26043 - JOSEPH R. BARTHELEMY, MD**

**MD25760 - WEEDEN J. BAUMAN, MD**

**MD26033 - SHAALAN BEG, MD**

**MD26073 - ALAN ELLIOTT BENTZ, MD**

**MD25997 - ANDREW MICHAEL BROWN, MD**

**PA2302 - BRIAN LEE BURGEMASTER, PA**

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

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**MD25998 - AN CHEN, MD**

**MD25943 - NISHAN H. CHOBANIAN, MD**

**MD25995 - CANDACE FRANCINE CHUMLEY, MD**

**MD26029 - SAMUEL JAMES COLLIER, MD**

**MD26057 - KHALED KEVIN DEEB, MD**

**MD26039 - STEPHEN EDWARD DREYER, MD**

**MD26074 - JOEL BREMER DURINKA, MD**

**PA2350 - JILL RENEE DUSSEAULT, PA**

**MD26075 - RAMA A. EMBAR, MD**

**MD25818 - BRIAN DOUGLAS ENGLE, MD**

**MD26047 - JAMES PHILIP FELBERG, MD**

**MD25778 - DAVID RYAN FISH, MD**

**MD25913 - CLAUDE JEAN FORTIN, MD**

**PA2341 - LINDSAY MERRIMAN FOX, PA**

**MD25972 - KIRSTEN ELKE FREDERIKSEN, MD**

**MD25864 - DIANNA STADE GAGNON, MD**

**MD25931 - NICOLAS R. GENOVESE, MD**

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

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MD26076 - EDWARD FRANCIS GIBBONS, MD

MD25351 - SINIKKA LIISA GREEN, MD

MD25916 - MATTHEW DREW GRUNWALD, MD

MD25844 - NOAH ELVIS GUTIERREZ JR, MD

MD25984 - FERENC EMIL GYULAI, MD

MD25149 - HAMISH R M HADDOW, MD

PA2344 - LANCE KENNEDY HARRIS, PA

MD25901 - COLMAN JAMES HATTON, MD

MD25768 - NAGHMEH ISFAHANIAN, MD

MD25822 - ROBERT TRISTAN ISOM, MD

MD25855 - MARK OLIVER JENNINGS, MD

MD25861 - GREGORY LARIVIERE JUDSON, MD

MD25919 - MARYN E. KANTER, MD

MD26036 - SAMUEL AARON KOLANDER, MD

MD25860 - ANNE E. KORNKVEN, MD

MD25917 - BENJAMIN COLLINS KRASIN, MD

MD25810 - LAUREN JILL KRASNER, MD



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

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MD26037 - SANDY SEN-HSIN LAI, MD

MD26012 - GONZALO LAJE, MD

MD26048 - MARK VAUGHN LARKINS, MD

MD25446 - CECILIA ALEJANDRA LAROCCA, MD

MD25933 - KATHREEN PORTIA LEE, MD

MD25947 - RICHARD JAE BONG LEE, MD

MD25740 - ILISA BRIANNA MACKOY, MD

MD25841 - ALEXANDER PHILIPP MAYER, MD

MD25865 - ZACHARY LUKE MCKEE, MD

MD26055 - MICHAEL DOUGLAS MIGNOLI, MD

MD26034 - JAMISON D. MORGAN, MD

MD25906 - SANJAY NADESAN, MD

PA2329 - CHRISTOPHER JOSEPH NESMITH, PA

MD25887 - RAKESH PATEL, MD

MD26077 - JORDAN EMILY PERLMAN, MD

MD25994 - JULIA ANN PIERCE, MD

MD25954 - JEREMY DAVID RACKLEY, MD

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

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**PA2348 - SEYWARD ALICIA ROBBINS, PA**

**MD25914 - RAFAEL ANTONIO ROJANO-MARIN, MD**

**PA2339 - ELISHA ANN ROSS, PA**

**MD24374 - ROBERT DOUGLAS ROY, MD**

**PA2321 - DERICK NGUFOR SAMAFUHBI, PA**

**MD25978 - CHET DEAN SCHRADER, MD**

**MD25486 - NIRAJ SHARMA, MD**

**MD25083 - DANIEL JORDAN SHUBERT, MD**

**MD25036 - VIBHUTI SINGH, MD**

**MD25892 - JOSHUA A. SLEP, MD**

**MD26032 - ELIJAH W. STOMMEL, MD**

**PA2310 - LAUREN MARIE SWEGLE, PA**

**MD26056 - GEORGE PATRICK THOMAS JR, MD**

**EC211108 - SABRINA UMA TOBARRAN, MD**

**MD25704 - TODD STEVEN TRAUB, MD**

**PA2336 - MORGAN TROMBLEE, PA**

**MD25255 - HISASHI TSUKADA, MD**

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

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**MD26038 - TIFFINY TURE, MD**

**MD26058 - ANEEL AHMED URSANI, MD**

**MD25557 - JIPING WANG, MD**

**MD25750 - JENNIFER LYNN WARES, MD**

**MD25878 - AMY CHARRON WATSON, MD**

**MD25970 - GREGORY WHATLEY, MD**

**MD25898 - MARERIL WHEELER, MD**

**MD25991 - WILLIAM A. WHITE, MD**

**MD26042 - GAYLE ANNE HENDRICKS WRIGHT, MD**

**MDA25586 - SARAJANE YOLOWITZ, MD**

**MD25423 - JIADE YU, MD**

**MD25980 - ELIZABETH FRANCES YURTH, MD**

**EL221008 - BERHANU MELAKU ZEGEYE, MD**

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

Selection File Name: MONTHLY-PENDING

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**SUMMARY BY LICENSE PREFIX**

**CP - YOUTH CAMP LICENSE**

P - Pending	8
<hr/>	
SUBTOTAL:	8

**EC - TEMPORARY EDUCATIONAL CERTIFICATE**

P - Pending	86
<hr/>	
SUBTOTAL:	86

**EL - EMERGENCY 100-DAY LICENSE**

P - Pending	3
<hr/>	
SUBTOTAL:	3

**MD - MEDICAL DOCTOR**

P - Pending	292
<hr/>	
SUBTOTAL:	292

**PA - PHYSICIAN ASSISTANT**

P - Pending	41
<hr/>	
SUBTOTAL:	41

**TD - TEMPORARY LICENSE**

P - Pending	1
<hr/>	
SUBTOTAL:	1

**TM - TELEMEDICINE**

P - Pending	2
<hr/>	
SUBTOTAL:	2

**SUMMARY BY LICENSE STATUS**

P - Pending	433
<hr/>	
<b>TOTAL ALL LICENSES:</b>	<b>433</b>

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	239	181	29	210	29	87.87
MEDICINE	376	MDA	5	0	5	5	0	100
MEDICINE	376	MDE	16	14	1	15	1	93.75
MEDICINE	376	MDV	1	0	1	1	0	100
MEDICINE	376	PA	42	30	12	42	0	100
MEDICINE	376	TM	0	0	0	0	0	0

Close

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

Selection File: WITHDRAWALS

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**MD12291 - HUGH F. HARWOOD, MD**

**MDE21968 - MORRIS SHEPPARD MINTON JR, MD**

**MD20192 - PAUL M. NEWTON, MD**

**MD15371 - SYED NAVEED A. RIZVI, MD**

**MD16077 - DONATO A. SISTO, MD**