

State of Maine
Board of Licensure in Medicine
137 SHS, 161 Capitol Street
Augusta, Maine 04333-0137
March 8, 2022
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State of Maine
Board of Licensure in Medicine
137 SHS, 161 Capitol Street
Augusta, Maine 04333-0137
Minutes of March 8, 2022

Board Members Present: Maroulla S. Gleaton, M.D., Chair; Christopher R. Ross, P.A., Secretary; Holly Fanjoy, M.D.; Renee Fay-Leblanc, M.D.; Noel Genova, P.A.; Frederick Goggans, M.D. (excused at 5:12 p.m.); Gregory Jamison, RPh, Public Member; Noah Nesin, M.D.; Brad E. Waddell, M.D.; and Lynne M. Weinstein, Public Member

Board Members Absent: None

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, Consumer Assistance Specialist; Maureen S. Lathrop, Administrative Assistant; and Tracy Morrison, Licensing Specialist

Attorney General’s Office Staff Present: Michael Miller, Assistant Attorney General and Lisa Wilson, 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 March 8, 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

3:43 p.m. – 4:16 p.m.

Pursuant to 1 M.R.S. § 405(6)(F) to hear testimony regarding confidential information

4:40 p.m. – 5:12 p.m.

Pursuant to 1 M.R.S. § 405(6)(F) to discuss confidential information

5:22 p.m. – 5:28 p.m.

Pursuant to 1 M.R.S. § 405(6)(E) to consult and seek legal advice regarding pending litigation

RECESSES

| | |
|-------------------------|--------|
| 9:10 a.m. – 9:21 a.m. | Recess |
| 10:37 a.m. – 10:49 a.m. | Recess |
| 12:04 p.m. – 12:36 p.m. | Lunch |
| 1:47 p.m. – 1:57 p.m. | Recess |
| 3:16 p.m. – 3:22 p.m. | Recess |
| 4:17 p.m. – 4:22 p.m. | Recess |

I. Call to Order

Due to technological issues the start of the meeting was delayed. Dr. Gleaton called the meeting to order at 8:21 a.m.

A. Amendments to Agenda (none)

B. Scheduled Agenda Items

1. 1:00 p.m. Adjudicatory Hearing – Elmer H. Lommler, M.D. (Appeal of Denial of Application for Renewal)

II. Licensing

A. Applications for Individual Consideration

1. Initial Applications

a. Van W. Adamson, M.D.

Dr. Waddell moved to table the application and request the Dr. Adamson’s potential employer in Maine provide a letter to the Board acknowledging awareness of concerns about Dr. Adamson and their plan to address those concerns. Alternatively, Dr. Adamson was given leave to withdraw his license. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. Ulf Neisius, M.D.

Dr. Fay-Leblanc moved to approve Dr. Neisius' license application. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

c. Robert M. Cuddihy, M.D.

Dr. Fay-Leblanc moved to offer Dr. Cuddihy three options: 1) accept an administrative license; 2) submit a reentry to clinical practice plan; or 3) leave to withdraw his license application. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

d. Robert H. Rossero, M.D.

Ms. Genova moved to offer Dr. Rossero three options: 1) accept an administrative license; 2) submit a reentry to clinical practice plan; or 3) leave to withdraw his license application. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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 (none)

4. Requests to Convert to Active Status

a. Kristin Coleman, M.D.

Dr. Fay-Leblanc moved to offer Dr. Coleman a consent agreement for an active license incorporating her clinical reentry to practice plan. Approval of the consent agreement is delegated to the Board Chair or Secretary. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. Emily Cole, P.A.

Ms. Genova moved to approve Ms. Cole's active license contingent upon her written representation that she will comply with the reentry to clinical practice plan approved by the Board. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. Gokay Alpak, M.D.

Mr. Ross moved to approve Dr. Alpak'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
Mr. Ross: 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. Taylor R Jordan, M.D.

Ms. Genova moved to approve Dr. Jordan's request to withdraw his license application. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

c. Eric P. Winer, M.D.

Mr. Ross moved to approve Dr. Winer'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
Mr. Ross: 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 (none)

B. Other Items for Discussion (none)

C. Citations and Administrative Fines (none)

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

A. AD19-41 Gerald R. Keenan, Jr., P.A. [Appendix A]

Ms. Genova moved to approve the signed consent agreement for permanent revocation. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

IV. Complaints

1. CR21-202

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

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

Dr. Gleaton: For
Mr. Ross: 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 with significant behavioral and medical health issues complained about the care he received from his primary care provider. The complainant alleges the physician lied, colluded with personnel to have him thrown out of an emergency room, denied him telephonic care, pawned him off on other providers in the practice rather than seeing him, misdiagnosed his cancer and refused to treat him with antibiotics. He was irreparably upset when he was dismissed from the practice. Review of the records reveals appropriate care with extra effort to accommodate a patient with concerning illness. Review of the policy of the practice reveals appropriate dismissal of the patient after he threatened bodily harm towards his treating physician.

2. CR20-130

Dr. Waddell moved to investigate further and request that the physician submit a detailed reentry to clinical practice plan. Dr. Fay-Leblanc seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. CR20-208

Dr. Nesin moved to set the matter for an informal conference. Ms. Weinstein seconded the motion.

After further discussion, Dr. Nesin changed his motion to offer the physician two options: 1) a consent agreement requiring a practice monitor and monthly reports to the Board for at least one year, prescribing restrictions, and completion of courses approved by the case reporter on medical record documentation, clinical toxicology, and controlled substance prescribing to be completed within three months; or 2) a consent agreement for surrender of his Maine medical license. In the event that a consent agreement is not entered into, the matter will be set for an adjudicatory hearing. Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. CR21-106 Timothy T. Goltz, M.D.

Ms. Genova 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

Mr. Ross: 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 filed by a patient regarding a letter that the physician sent to him, and which was placed into his medical record, following a telephone interaction he had with one of the physician's office staff and in which he requested an apology from the patient prior to issuing a refill of medication. The physician responded to the complaint and explained his reasons for writing the letter, why it cannot be removed from the patient's medical record, and that the patient's request to amend the record had been accomplished by his organization.

The guidance is as follows: addressing patient behavioral issues towards your medical staff is appropriate. However, when doing so you should be mindful of the tenor and tone of your communications. You should not withhold a patient's prescription medication refill in order to address behavioral issues. In addition, you should consider calling such patients before sending a written communication similar to the one in this case, as a conversation may produce a more productive outcome for the patient, your staff, and you.

5. CR22-14

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
Mr. Ross: 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 the care he received from this physician and does not agree with the diagnosis. The patient also alleges the physician refused to provide the medical records he requested. Review of the file reveals appropriate care

and no mention of the patient asking for records which the office provides upon request.

6. CR21-66

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
Mr. Ross: 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 alleges that a shingles vaccine exacerbated an underlying condition and caused a number of other long-term symptoms, that the vaccine was contraindicated in the first place and should not have been given, that inadequate information regarding adverse reaction was provided, and that the licensee failed to call and check in, despite many messages over many months related to their concerns.

The licensee responded that there was no contraindication for shingles vaccine, that the complainant was provided with the vaccine information sheet at the time of administration and that the patient's chronic symptoms were present prior to receipt of the vaccine. The licensee acknowledges the common practice of having staff respond to portal and phone messages.

The decision to offer the vaccine in this case was well within the standard of care and the symptoms of concern cannot be attributed to effects of the vaccine with any certainty. The Board asked the licensee to respond to questions regarding his communication with patients and procedures in the practice for providing patients with information regarding vaccinations. Both responses were satisfactory.

7. CR21-218

Mr. Ross moved to request that the physician assistant have her supervisor submit monthly reports to the Board for six months. Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

8. CR21-86

Ms. Weinstein 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
Mr. Ross: 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. CR21-80

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
Mr. Ross: 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

The motion was not available for review at the time of case presentation. Following review later in the meeting, the Board voted to approve the language.

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

Dr. Gleaton: For
Mr. Ross: 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 patient has had several negative experiences with the healthcare field and the health system that the licensee works within. These experiences pre-dated the patient's relationship with the licensee. The complainant includes several concerns in her complaint which involve the health system. The two primary complaints against the licensee are:

1. The patient believes that the licensee was biased, based on the patient's prior medical conditions, and that this bias negatively affected her care.
2. The patient believes that the PHQ-9 answers were inappropriately used to make a diagnosis of depression which the patient disagrees with.

The patient has a very complicated medical and surgical history and was experiencing many physical symptoms during the time that the licensee was caring for her. Review of the records shows that the licensee was listening to the patient (as evidenced by the HPI portion of her notes) and that the licensee was ordering testing and referrals whenever requested by the patient. There is no indication in the record that any past diagnosis affected the licensee's treatment of the patient.

The PHQ-2 and PHQ-9 were done at the time of the patient's first visit. This is a standard screening done in primary care. Later in the course of her care, the patient endorsed symptoms which are consistent with depression and she was referred for psych care. Based on the medical record review, the screening and diagnosis are following the standard of care.

10. CR21-141

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
Mr. Ross: 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 patient complains that she was unable to get the prior authorization for dentures. After review of the records, it does appear that the licensee and office staff tried to get the necessary information to the insurance company multiple times.

11. CR21-153

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
Mr. Ross: 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 patient's spouse complains because a prescription for Suboxone was not sent to the pharmacy. Review of the records shows that the provider's staff tried to reach out to the patient to schedule an appointment.

12. CR21-105

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

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

Dr. Gleaton: For
Mr. Ross: 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 the behavioral health care she received from her psychiatrist. She specifically felt the intake/initial evaluation was difficult since it delved into sensitive issues. However, the patient was really distressed when it took twenty days to receive new medication. Review of the records reveals reasonable psychiatric care, but the physician, her staff, the patient's insurance, the patient and the pharmacy all contributed to the patient not receiving her medication in a timely manner. For unknown reasons prescriptions that were sent were not received then the proper sequence of prior authorization requests did not happen. The physician and her staff have changed some protocols to make sure that this does not occur again. The complicated system requiring prior authorization and a physician vacation contributed to the problem. The physician is sorry and states she will work harder on communication and care of her patients. The psychiatrist had a lengthy discussion with this patient about the issues of concern, and the patient has continued her care with this physician which is laudable on both their parts.

13. CR21-165

Dr. Fay-Leblanc moved to issue a citation based on the physician's failure to correctly answer a question on his renewal application and to dismiss the complaint upon receipt of payment. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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: This case was brought by a community member from outside of Maine who had objection to a social media post written by the licensee. In the licensee's initial response, he indicated that the post was "fiction," but he did not identify it as such. The Board requested that the licensee take a course on social media and

healthcare and write a letter explaining what he learned. He completed the course and submitted a letter.

14. CR21-204 Rick A. Marden, M.D.

Dr. Nesin 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
Mr. Ross: 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 filed by a patient's relative who expressed concerns about the physician's treatment and communication, including delays in responses and delegating communication through staff, when they called his practice to correct a perceived error in prescribing sufficient pain medication to bridge the patient's transfer to a palliative care provider. The physician responded to the complaint and explained his care and treatment and provided a copy of the patient's medical record.

The guidance is as follows: it is important to conduct careful medication reconciliation in all instances to ensure that the medication you intend to prescribe is reflected both in the medical record and on the prescription itself. In addition, you should be mindful of the risks associated with delegating all communications (with patients and pharmacies) to your staff, especially in circumstances where circumstances may create significant anxiety to patients and their families.

15. CR21-214 Paul A. Shapero, M.D.

Dr. Nesin moved to dismiss the complaint with a letter of guidance as amended. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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 filed by the parents of a minor female patient who expressed concerns regarding statements that the physician made to the patient about her body and physical appearance during an office visit. The physician responded to the complaint, explained his care and treatment, provided a copy of the patient's medical record, admitted making the statements, denied any intent to offend, and apologized and expressed remorse.

The guidance is as follows: professional and appropriate boundaries and communications are vital to establishing and maintaining a therapeutic clinician-patient relationship. Communicating to patients regarding their body and physical appearance during an office visit risks crossing appropriate boundaries and communication standards, and could undermine the clinician-patient relationship, and, when necessary, should be undertaken after careful consideration and with great tact.

16. CR21-219

Dr. Waddell moved to issue a citation based on the physician's failure to report disciplinary action to the Board as required by Board rule and to dismiss the complaint upon receipt of payment. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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 licensee failed to report disciplinary action taken by another state licensing board. The action was secondary to a settled malpractice case.

17. CR21-221

Ms. Genova 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
Mr. Ross: 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 the physician failed to forward medical paperwork to the Bureau of Motor Vehicles (BMV) resulting in a license suspension. Additionally, the patient alleges the physician did not notify the pharmacy of a medication refill delaying the prescription. The medical records reveal no request for paperwork to be completed by this physician or staff for the BMV and the medication refill sent to the pharmacy was not picked up until two days later.

18. CR21-128

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
Mr. Ross: 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 with a history of seizure disorder from a traumatic brain injury and remote history of alcoholism alleges that his neurologist misdiagnosed him with “alcohol withdrawal induced convulsion” and accused him of intoxication when he experienced a seizure and was seen in the emergency department. The patient had a history of seizures that were difficult to control due to medication intolerances and

noncompliance. He was not on anti-epileptic medication when he presented to an emergency department with a seizure, and evaluation demonstrated a mild elevation of serum blood alcohol. Upon follow-up with his neurologist, he was warned about the use of alcohol and its effect on underlying seizure disorders and interaction with anti-epileptic medications. The patient declined using any alcohol and was upset regarding further discussion about alcohol. The patient has requested an amendment to his medical documentation and an apology from the licensee.

The licensee claims that he did not make any statements about the extent or nature of alcohol use and only reiterated the fact that alcohol use is counterproductive in treatment of this medical condition.

The patient's seizure disorder was difficult to manage in the setting of non-compliance. Review of the medical records indicates that the licensee's care of the patient was appropriate.

19. CR21-124

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

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

Dr. Gleaton: For
Mr. Ross: 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

20. CR21-87

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
Mr. Ross: 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

21. CR21-88

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

MOTION: A patient complains about the care she received from her treating ophthalmologist. She alleges he was prescribing drops she did not need and ordering too many glaucoma tests. Review of the records reveals less than optimum documentation through scribe absenteeism and inadequate training with COVID-19 and a changing electronic health documentation system. The record also reveals reasonable ophthalmologic care in a woman who does not remember recommendations and/or is not compliant. Clearly not an ideal therapeutic relationship, the doctor suggested care with another provider. The patient agreed and said she would seek care elsewhere, but there are indications she has not followed through. Laudably, the ophthalmologist would and has continued to help the patient since he is professional and empathetic.

22. CR20-156

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

V. Assessment and Direction

23. AD21-223

Dr. Nesin moved to issue a complaint (**CR22-59**). Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

24. AD22-3

Ms. Weinstein moved to issue a complaint (**CR22-60**). Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. AD22-30

Ms. Weinstein moved to issue a complaint (**CR22-61**). Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

26. AD22-32

Dr. Waddell moved to issue a complaint (**CR22-62**) and obtain an expert review. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

27. AD22-33

Dr. Waddell moved to issue a complaint (**CR22-63**) and obtain an expert review. Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

28. AD22-36

Dr. Nesin moved to issue a complaint (**CR22-64**) and order the physician to undergo a § 3286 psychiatric evaluation. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

29. AD22-42

Ms. Weinstein moved to issue a complaint (**CR22-65**) and order the physician assistant to undergo a § 3286 psychiatric and substance misuse evaluation. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: Recused
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: For
Mr. Jamison: For
Dr. Nesin: Recused
Dr. Waddell: Not present
Ms. Weinstein: For

30. Intentionally left blank

31. Pending Adjudicatory Hearings and Informal Conferences Report

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

32. Consumer Assistance Specialist Feedback (none)

VI. Informal Conference (none)

VII. Minutes for Approval

A. February 8, 2022

Ms. Weinstein moved to approve the minutes of the February 8, 2022 meeting. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: Not present
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

B. February 17, 2022

Ms. Genova moved to approve the minutes of the February 17, 2022 special meeting.
Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed 6 in favor, 4 abstained.

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: Abstained
Dr. Fay-Leblanc: Abstained
Ms. Genova: For
Dr. Goggans: Abstained
Mr. Jamison: Abstained
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 suspend the testing and counseling requirements in Dr. Richter's consent agreement while he is out of the country and to reassess upon his return to practice in Maine. Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. Jarrod R. Daniel, M.D.

At 4:40 p.m. Mr. Ross moved to enter executive session pursuant to 1 M.R.S. § 405(6)(F) to discuss confidential information. Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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 5:12 p.m. Ms. Genova moved to come out of executive session. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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. Waddell moved to continue Dr. Daniel's suspension and request additional information regarding his treatment and monitoring. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: Not present
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

IX. Adjudicatory Hearing 1:00 p.m.

A. Elmer H. Lommler, M.D. (Appeal of Denial of Application for Renewal)

Rebekah J. Smith, Esq., Hearing Officer, convened the hearing at 1:13 p.m.

Dr. Lommler was present and represented by Daniel McCue, Esq. AAG Lisa Wilson represented the state.

At 3:43 p.m. Mr. Ross moved to enter executive session pursuant to 1 M.R.S. § 405(6)(F) to hear confidential testimony. Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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 4:16 p.m. Mr. Ross moved to come out of executive session. Ms. Genova seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: 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

The hearing adjourned for the day at 4:17 p.m. and will continue April 12, 2022.

X. Remarks of Chair (none)

XI. Remarks of Executive Director

A. ECFMG Notification of Actions

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

B. Legislation – LD 1858

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

XII. Assistant Executive Director’s Report

Mr. Terranova reported that Board staff have completed interviews to fill the positions of Investigative Secretary and Licensing Specialist.

A. Complaint Status Report

As of March 1, 2022, there are one hundred ten complaints outstanding. Five complaints were opened during the month of February and twelve were closed.

B. Licensing Feedback (none)

XIII. Medical Director’s Report (none)

XIV. Remarks of Assistant Attorney General

AAG Miller informed Board members who were not able to attend the special meeting of the Board on February 17th of two recent actions filed against the Board and/or Board members.

At 5:22 p.m. Ms. Genova moved to enter executive session pursuant to Pursuant to 1 M.R.S. § 405(6)(E) to consult and seek legal advice regarding pending litigation. Dr. Waddell seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: Not present
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

At 5:28 p.m. Ms. Genova moved to come out of executive session. Mr. Ross seconded the motion.

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

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: Not present
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

XV. Rulemaking (none)

XVI. Policy Review (none)

XVII. Requests for Guidance (none)

XVIII. Standing Committee Reports

A. Licensure and CME Committee

1. Licensing Status Report [Appendix B]

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

XIX. Board Correspondence (none)

XX. FSMB Material (none)

XXI. FYI

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

XXII. Other Business (none)

XXIII. Adjournment 5:30 p.m.

At 5:30 p.m. Mr. Ross 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
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Ms. Genova: For
Dr. Goggans: Not present
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 March 8, 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 March 8, 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 February 28, 2022, 227,332 residents have been infected (165,164 confirmed and 62,168 probable), 4,345 residents have been hospitalized with the virus, and 2,065 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 February 28, 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 250.71; the number of new cases (confirmed and probable) statewide is 1,755; the number of current hospitalizations is 168 (with 39 in critical care); the number of validated vaccine breakthrough cases is 67,402; the total number of deaths is 2,065.
(<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. The Omicron variant is a variant of SARS-CoV-2, the virus that causes COVID-19. It was first reported to the WHO from South Africa on November 24, 2021. On November 26, 2021, the WHO designated it as a variant of concern and named it Omicron. As of February 28, 2022, the Delta variant represents .70 percent, and the Omicron variant represents 99.3 percent of all sequenced samples collected in Maine.
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 February 28, 2022, 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 March 8, 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 March 8, 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

STATE OF MAINE
BOARD OF LICENSURE IN MEDICINE

In re:)
GERALD R. KEENAN, JR., P.A.) CONSENT AGREEMENT FOR
AD19-41) PERMANENT REVOCATION

This document is a Consent Agreement, effective when signed by all parties, regarding disciplinary action against the physician assistant license in the State of Maine held by Gerald R. Keenan, Jr., P.A. The parties to the Consent Agreement are: Gerald R. Keenan, Jr., P.A. (“Mr. Keenan”), the State of Maine Board of Licensure in Medicine (“the Board”), and the State of Maine Department of the Attorney General. This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003(5)(B) and 32 M.R.S. §§ 3270-C, 3282-A.

STATEMENT OF FACTS

1. Mr. Keenan held a physician assistant license in the State of Maine from August 27, 1997 through September 1, 2016 (license number PA549).
2. The Board opened an investigation on February 25, 2019, following receipt of information that an arrest warrant had issued for Mr. Keenan for the charge of gross sexual assault of a person under the age of 14 alleged to have occurred between August 1, 1998 and August 1, 2001 in Jackman, Maine.
3. On May 29, 2019, Mr. Keenan and the Arizona Regulatory Board of Physician Assistants (“Arizona Board”) entered into an Order for Surrender of Licensure and Consent to the Same for the immediate surrender of Mr. Keenan’s physician assistant license in that State following his being charged with a reportable matter in Somerset County, Maine, and his failure to timely report that charge to the Arizona Board.

4. On March 9, 2020, the Pennsylvania Bureau of Professional and Occupational Affairs and the State Board of Medicine ("Pennsylvania Board") entered a Final Order Adopting Hearing Examiner's Adjudication and Order indefinitely suspending Mr. Keenan's physician assistant license in that state based upon the disciplinary action taken by the Arizona Board.

5. Effective July 5, 2020, the National Commission on Certification of Physician Assistants ("NCCPA") imposed a non-permanent revocation of Mr. Keenan's NCCPA certification based upon the disciplinary action taken by the Arizona Board.

6. On July 2, 2021, Mr. Keenan entered an Alford plea and was sentenced on August 12, 2021, Mr. Keenan was convicted in Somerset County of two counts of Unlawful Sexual Contact with a person less than 14 years old (in violation of 17-A M.R.S. § 255-A(1)(E) - Class C) for conduct that occurred on or between February 1, 2003 and on or between June 24, 2003, and two counts of Sexual Abuse of a Minor (in violation of 17-A M.R.S. § 254(1)(A-2) - Class C) for conduct that occurred on or between April 20, 2009 and April 18, 2011. Mr. Keenan was licensed as a physician assistant in Maine at all times that the conduct for which he was convicted occurred.

7. Pursuant to 32 M.R.S. § 3282-A(2)(E), the Board may impose discipline for engaging in conduct that evidences a lack of ability or fitness to discharge the duty owed by the license to a client or the general public, or that evidences a lack of knowledge or inability to apply principles or skills to carry out the practice for which the licensee is licensed. Sexual Misconduct is

considered incompetence. *See Board Rule Chapter 10 Sexual Misconduct § 1(3) (1997)*

8. Pursuant to 32 M.R.S. § 3282-A(2)(F), the Board may impose discipline for unprofessional conduct if the licensee has engaged in conduct that violates a standard of professional behavior that has been established for the practice of medicine. Sexual misconduct is considered unprofessional conduct. *See Board Rule Chapter 10 Sexual Misconduct § 1(3) (1997).*

9. Pursuant to 32 M.R.S. § 3282-A(2)(G), the Board may impose discipline for conviction of a crime that relates directly to the practice for which the licensee is licensed or for which incarceration of one year or more may be imposed.

10. Pursuant to 32 M.R.S. § 3282-A(2)(H), the Board may impose discipline for a violation of Board Rule, including Board Rule Chapter 10 Sexual Misconduct.

11. On September 14, 2021, the Board reviewed AD19-41 and in lieu of issuing a complaint voted to offer Mr. Keenan this Consent Agreement to resolve the matter without further proceedings. Absent Mr. Keenan's acceptance of this Consent Agreement by signing and dating it in front of a notary and mailing it to Maine Board of Licensure in Medicine, 137 State House Station, Augusta, Maine 04333-0137 on or before February 28, 2022, the Board voted to issue a complaint against Mr. Keenan.

COVENANTS

12. Mr. Keenan will not dispute the facts stated above and agrees that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. §§ 3282-A(2)(E), (F), (G), and (H).

13. As discipline for the foregoing conduct, Mr. Keenan agrees to accept, and the Board imposes:

a PERMANENT REVOCATION of his physician assistant license effective September 1, 2016.

14. This Consent Agreement is not appealable and is effective until modified or rescinded in writing by the parties hereto.

15. The Board and the Department of the Attorney General may communicate and cooperate regarding Mr. Keenan or any other matter relating to this Consent Agreement.

16. This Consent Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408-A.

17. This Consent Agreement constitutes discipline and is an adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB), the Federation of State Medical Boards (FSMB), and other licensing jurisdictions.

18. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto. If any clause of this Consent

Agreement is deemed illegal or invalid, then that clause shall be deemed severed from this Consent Agreement.

19. Mr. Keenan acknowledges by his signature hereto that he has read this Consent Agreement, that he has had an opportunity to consult with an attorney before executing this Consent Agreement, that he executed this Consent Agreement of his own free will and that he agrees to abide by all terms and conditions set forth herein.

20. Mr. Keenan has been represented by Eugene Sullivan, Jr., Esq., who has participated in the negotiation of the terms of this Consent Agreement.

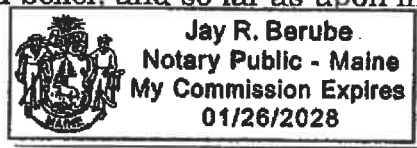
21. For the purposes of this Consent Agreement, the terms "execution" or "effective date" means the date on which the final signature is affixed to this Consent Agreement.


I, GERALD R. KEENAN, JR., P.A., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT AND WILL NOT DISPUTE ITS CONTENTS AND TERMS. I FURTHER UNDERSTAND THAT BY SIGNING THIS AGREEMENT, I WAIVE CERTAIN RIGHTS, INCLUDING THE RIGHT TO A HEARING BEFORE THE BOARD. I SIGN THIS CONSENT AGREEMENT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

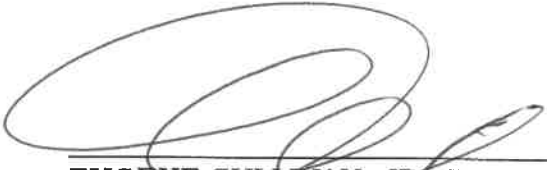
DATED: 28 Feb 2022 
GERALD R. KEENAN, JR., P.A.

STATE OF Maine
Knox, S.S.

Personally appeared before me the above-named Gerald R. Keenan, Jr., P.A., and swore to the truth of the foregoing based upon his own personal knowledge, or upon information and belief, and so far as upon information and belief, he believes it to be true.



DATED: 28 Feb 2022 
NOTARY PUBLIC/ATTORNEY
MY COMMISSION ENDS: 1-26-2028

DATED: 2/28/22 
EUGENE SULLIVAN, JR., ESQ.
Attorney for Gerald R. Keenan, Jr., P.A.

STATE OF MAINE BOARD
OF LICENSURE IN MEDICINE

DATED: March 8, 2022



MAROUILLA S. GLEATON, M.D., Chair

STATE OF MAINE DEPARTMENT
OF THE ATTORNEY GENERAL

DATED: March 9, 2022



MICHAEL MILLER
Assistant Attorney General

Effective Date: March 9, 2022

BOARD OF LICENSURE IN MEDICINE

DATE: MARCH 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 February 2022 by license type (88);
- A list of all individuals granted a new license in February 2022;
- A summary of all pending applications by license type (309);
- A list of online vs. paper renewals in February 2022 by license type (93.75%);
- The number of licenses expired February 28, 2022 (42);
- The number of licenses lapsed for date November 30, 2021 (35); and
- The list of licenses withdrawn in February 2022 (4).

In addition, the overall licensing statistics include:

- The number of active MD licenses (not including EC) on March 1, 2022 (7,128);
- The number of active MD licenses with a Maine address (not including EC) on March 1, 2022 (3,697);
- The number of active PA licenses on March 1, 2022 (1,066);
- The number of active PA licenses with a Maine address on March 1, 2022 (958); and
- The number of licenses pending renewal on March 1, 2022 (50).

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> | |
| MD - MEDICAL DOCTOR | | |
| A - Active | 79 | |
| SUBTOTAL: | <u>79</u> | |
| MDA - MEDICAL DOCTOR ADMINISTRATIVE | | |
| A - Active | 1 | |
| SUBTOTAL: | <u>1</u> | |
| PA - PHYSICIAN ASSISTANT | | |
| A - Active | 7 | |
| SUBTOTAL: | <u>7</u> | |

SUMMARY BY LICENSE STATUS

| | | |
|----------------------------|------------------|--|
| A - Active | 88 | |
| TOTAL ALL LICENSES: | <u>88</u> | |

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

Selection File: MONTHLY-ISSUED

MD25629 - RANY TALAL ABDALLAH, MD

MD25671 - ALEXANDER MICHAEL ABUD, MD

MD25347 - MUHAMMAD ZAKARIYA ALAM, MD

MD25608 - BADER JASSIM ALDOSSARY, MD

MD25301 - CHARLES DEWALT ALLEN, MD

MD25793 - BENITO WILLIAM AUBERGINE, MD

MD25794 - MINDY ANN BANKS, MD

MD24987 - DAVID TIMOTHY BEIHL, MD

PA2269 - NICOLE DIANE BIEHLE, PA

MD25726 - LAUREN NICOLE BOEHM, MD

PA2307 - DREW WESLEY BOIS, PA

MD25795 - LESLIE GAIL CARNAHAN, MD

MD25719 - FAN CHEN, MD

MD25783 - MICHELLE LOURDES CIARLO JONES, MD

MD25736 - MADELEINE CURRAN COLEMAN, MD

MD25772 - SARAH CLARE COOK, MD

MD25769 - LINDSAY CHRISTENSEN CORSE, MD

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

MD25690 - BRADFORD LEE COTTRELL, MD

MD25827 - EMILY BETH CROCKETT, MD

MD25826 - MANH CON DANG, MD

MD25364 - SHINJITA DAS, MD

MD25688 - DIANE DICKINSON, MD

MD25694 - DIANA ALEXANDROVA DIMITROV, MD

MD24862 - DEAN MICHAEL DONAHUE, MD

MD25609 - KEEGAN AUTACHI DUCHICELA, MD

MD23881 - MARLOW EASTERLING JR, MD

MD25624 - LIAM GERARD GANNON, MD

MD25763 - JASON CELAL STARK GARDENIER, MD

MD25384 - MARIE DENISE GERHARD-HERMAN, MD

MD25748 - HILLARY A. GLICK, MD

PA2308 - CLARA ELIZABETH GORDON, PA

MD25627 - DAVID TIMOTHY GORRELL, MD

MD25177 - MARY K. GRADY, MD

PA2309 - COURTNEY R. GRATER, PA

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

MD25652 - MEGHAN JANE HIGLEY, MD

MD25340 - ELISABETH LARK HILL, MD

MD25777 - FAISAL JAMAL, MD

MD25440 - JENNIFER ANN JOHNSON, MD

MD25602 - SUBHASHINI KATUMULUWA, MD

MD25441 - KIMBERLY WOODWARD KEEFE SMITH, MD

MD25771 - ANDREW ROBERT KEYSER, MD

MD25554 - JAMES M. KIRSHENBAUM, MD

MD25711 - KARTHIK RAM KODE, MD

MD25466 - MICHAEL KRATHEN, MD

MD25689 - ALBERT QUOC-HOA LAM, MD

MD25628 - JENNIFER JING LING, MD

MD25578 - KEITH WILLIAM LYONS, MD

MD25733 - OMAR AHMAD MAHMOOD, MD

MD25357 - SUJAL SHARAD MANDAVIA, MD

MD25825 - THOMAS OWEN MARKEL, MD

MD25828 - CONCEPCION MARTINEZ, MD

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

MD25582 - RYAN MICHAEL MCCAFFREY, MD

MD25616 - KATHERINE CHRISTINE MCDONALD, MD

MD25741 - SEAN JOSEPH MCGRATH, MD

MD25661 - SAHIL MEHTA, MD

MD25720 - NICHOLAS ELLIS MILES, MD

MD25762 - STEVEN MICHAEL MILLER, MD

PA2299 - KELLY LYNN MOHNS, PA

MD25722 - ELIOTT W A MORGAN, MD

PA2094 - HOLLY H. MORRIS, PA

PA2313 - LAURIANNE YVETTE MURPHY, PA

MD25797 - ARCHANA DEEPAK NARAN, MD

MD25693 - ANDREW DAVID NORDEN, MD

MD25503 - ANDREW OSWARI, MD

MD25796 - PINKY JAY PATEL, MD

MD25698 - KARA J. PERRELLI, MD

MD25614 - CHRISTINE LORI PETERSEN, MD

MD25676 - MICHAEL STEPHEN POLLOCK, MD

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

MD25699 - OTTO R. SANDOVAL, MD

MD25574 - RALPH FRANK SANTORO, MD

MD25672 - SARAH JANE SCOTT, MD

MD25641 - TINA SEECHARAN, MD

MD21629 - JAY N. SHAH, MD

MD25675 - ARUN KUMAR SINGH, MD

MD25713 - RACHEL SOLOTAROFF, MD

MD25836 - JAWAHAR SUNDARAM, MD

MD24891 - SHYAM KUMAR TANGUTURI, MD

MD25802 - ASHISH RAMESH THAKKAR, MD

MD25808 - COREY JOSEPH THOMPSON, MD

MD25356 - AFFAN UMER, MD

MD25791 - DAVID VALENTINE, MD

MD25201 - OGUGUA OGECHINYELU VANN, MD

MDA25714 - DANA JAMES VICK, MD

MD25801 - EDWARD ALLEN WALTON, MD

MD25734 - CHRISTOPHER JAMES WATSON, MD

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

MD25421 - JONATHAN D. WOOLERY, MD

EC221003 - LINDA YIFEI XIONG, MD

MD25377 - KEE KIAT YEO, 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

CP - YOUTH CAMP LICENSE

P - Pending 7

SUBTOTAL: 7

EC - TEMPORARY EDUCATIONAL CERTIFICATE

P - Pending 2

SUBTOTAL: 2

EL - EMERGENCY 100-DAY LICENSE

P - Pending 3

SUBTOTAL: 3

MD - MEDICAL DOCTOR

P - Pending 263

SUBTOTAL: 263

PA - PHYSICIAN ASSISTANT

P - Pending 32

SUBTOTAL: 32

TM - TELEMEDICINE

P - Pending 2

SUBTOTAL: 2

SUMMARY BY LICENSE STATUS

P - Pending 309

TOTAL ALL LICENSES: 309

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 | 183 | 143 | 25 | 168 | 15 | 91.80 |
| MEDICINE | 376 | MDA | 4 | 2 | 2 | 4 | 0 | 100 |
| MEDICINE | 376 | MDE | 9 | 9 | 0 | 9 | 0 | 100 |
| MEDICINE | 376 | MDV | 0 | 0 | 0 | 0 | 0 | 0 |
| MEDICINE | 376 | PA | 43 | 27 | 16 | 43 | 0 | 100 |
| MEDICINE | 376 | TM | 1 | 1 | 0 | 1 | 0 | 100 |

Close

LICENSE MASTER

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

Selection File: WITHDRAWALS

MD23098 - CYNTHIA N. PACIULLI BARBARITS, MD

MD21498 - THOMAS JACKSON PULLIAM, MD

MD20539 - BETH SHORTRIDGE, MD

MDE12395 - ELIZABETH C. WHITE-RANDALL, MD