

**Maine Board of Licensure in Medicine
Minutes of May 30, 2023**

Board Members Present: Maroulla Gleaton, M.D., Chair; Holly Fanjoy, M.D.; Renee Fay-Leblanc, M.D.; Gregory Jamison, RPh, Public Member; Brad Waddell, M.D.; Lynne Weinstein, Public Member

Board Members Absent: Christopher Ross, P.A., Secretary; Steven Blessington, P.A.; and Noah Nesin, M.D.

Board Staff Present: Executive Director Dennis E. Smith; Assistant Executive Director, Timothy E. Terranova; Complaint Coordinator Kelly L. McLaughlin; Consumer Assistance Specialist Savannah Okoronkwo; Investigative Secretary Faith McLaughlin; Administrative Assistant Maureen S. Lathrop; and Secretary Nathan Fitts

Attorney General’s Office Staff Present: Assistant Attorney General Timothy Steigelman; Assistant Attorney General Jennifer Willis; and Assistant Attorney General Lisa Wilson

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on January 10, 2023, the Board Chair directed that the May 30, 2023, 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

None

RECESSES

10:35 a.m. – 10:48 a.m.	Recess
12:08 p.m. – 12:41 p.m.	Lunch
2:25 p.m. – 2:46 p.m.	Recess
3:38 p.m. – 3:46 p.m.	Recess
3:47 p.m. – 3:59 p.m.	Recess to allow licensee’s counsel time to attempt to contact witness

I. Call to Order

Dr. Gleaton called the meeting to order at 9:03 a.m.

IX. Adjudicatory Hearing

Hearing Officer Rebekah J. Smith, Esq. convened the hearing at 9:08 a.m.

Dr. Nass was present and represented by Gene R. Libby, Esq. AAG Jennifer Willis and AAG Timothy Steigelman represented Board Staff.

Hearing Officer Smith conducted a roll call vote to confirm that Board members had access to the hearing exhibits with all members voting in the affirmative.

Hearing Officer Smith noted that prior to the hearing date Dr. Gleaton was presented with a motion to recuse from the licensee. Dr. Gleaton reviewed the licensee's motion to disqualify her and the exhibits, Board Staff's response to the motion to disqualify and attached exhibits, and the licensee's reply memo and determined that she did not need to recuse herself under the standards set forth in 5 M.R.S. § 9063.

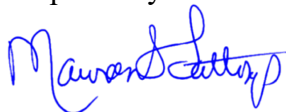
Mr. Libby requested that Dr. Gleaton make a determination on the record.

Hearing Officer Smith requested that Dr. Gleaton confirm on the record that she reviewed the materials as indicated, the applicable statute and determined that she did not need to recuse herself under the statutory standards. Dr. Gleaton confirmed her determination that she did not need to recuse.

Following witness testimony, the hearing adjourned at 4:02 p.m. and is scheduled to continue on July 28, 2023.

XXII. Adjournment 4:02 p.m.

Respectfully submitted,



Maureen S. Lathrop
Administrative Assistant

Dear Mr. Smith,

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on January 10, 2023, I am directing that the May 30, 2023, 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 situation which, pursuant to the policy, requires the Board to meet by entirely remote methods on May 30, 2023:

1. The Board meeting currently scheduled for Tuesday May 30, 2023, commencing at 9:00 a.m. is a specially scheduled meeting for the sole purpose of the continuation of an adjudicatory hearing. The first four days of the adjudicatory hearing were held entirely remotely on October 11, 2022, October 25, 2022, January 31, 2023, and March 2, 2023. Three of the four prior days of adjudicatory hearing occurred at specially scheduled meetings held solely for the purpose of continuing the adjudicatory hearing. Specially scheduled meetings for the purpose of continuing an adjudicatory hearing which occur in addition to the Board’s normal monthly meetings and which requires all participating Board members to attend, prove challenging to schedule.
2. All Board members participating in the adjudicatory hearing agreed to attend the specially scheduled May 30, 2023, meeting to continue the adjudicatory hearing with the understanding that they would not need to travel and could participate remotely. All participating Board members must attend the specially scheduled meeting for the continuation of the adjudicatory hearing to occur. At least one Board member participating in the adjudicatory hearing will be over 100 miles from Augusta on May 30, 2023, and five of the six Board members are actively practicing medicine or rendering medical services.
3. Therefore, I have determined that there is an emergency or urgent situation such that the May 30, 2023, Board meeting shall be held entirely remotely in order to ensure that the continuation of the adjudicatory hearing occurs.

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