

Board of Licensure in Medicine
Minutes Index
November 12, 2024

I. Call to Order	2
A. Amendments to Agenda	2
B. Scheduled Agenda Items	2
II. Licensing	
A. Applications for Individual Consideration	
1. Initial Applications	
a. Andrew James Robitaille, PA	2
b. Ashish Khanal, MD	2-3
c. P. Kent Harman, MD	3
2. Reinstatement Applications (none)	
3. Renewal Applications	
a. Ron K. Her, MD.....	3
b. Bernard H. Perlman, MD.....	3
4. Requests to Convert to Active Status	
a. Humaira Ashraf, MD	3-4
5. Requests to Withdraw License/License Application (none)	
6. Requests for Collaborative/Practice Agreements (none)	
B. Other Items for Discussion (none)	
C. Citations and Administrative Fines (none)	
D. Licensing Status Report	4
E. Licensing Feedback (none)	
F. Complaint Status Report.....	4
III. Board Orders/Consent Agreements/Resolution Documents for Review (none)	
IV. Complaints	
1. CR23-283	4-5
2. CR24-103	5
3. CR24-115	5
4. CR24-181	5-6
5. Intentionally left blank	
V. Assessment and Direction	
6. AD24-245	6-7
7. AD24-250	7
8. AD24-255 (amended on agenda).....	7
9. Pending Adjudicatory Hearings and Informal Conferences report.....	8
10. Consumer Assistance Specialist Feedback (none)	
VI. Informal Conference (none)	
VII. Minutes of October 8, 2024.....	8
VIII. Consent Agreement Monitoring	
A. Monitoring Reports	
1. David L. Conner, MD	8
2. Dashiell Jordan, MD	8-9

3.	Bernard H. Perlman, MD	9
4.	Byron A. Velander, MD.....	9
IX.	Adjudicatory Hearing	
A.	CR21-72/CR24-170 Ian G. Reight, MD.....	9
X.	Remarks of Chair (none)	
XI.	Executive Director’s Monthly Report.....	10
A.	MMA-CQI Milestone Report	10
B.	Approval of Resolve	10
C.	Alternate Licensing Model Comments	10
XII.	Assistant Executive Director’s Monthly Report.....	10
XIII.	Medical Director’s Report (none)	
XIV.	Remarks of Assistant Attorney General (none)	
XV.	Rulemaking (none)	
XVI.	Policy Review (none)	
XVII.	FSMB Material (none)	
XVIII.	FYI	11
XIX.	Other Business (none)	
XX.	Adjournment	11

**Maine Board of Licensure in Medicine
Minutes of November 12, 2024
8:01 a.m. – 4:37 p.m.**

Board Members Present: Secretary Christopher R. Ross, PA (participated remotely – excused at 9:58 a.m.); Holly Fanjoy, MD; Renee M. Fay-LeBlanc, MD; Public Member Gregory Jamison, RPh; Anthony T. Ng, MD; Public Member Jonathan Sahrbeck (participated remotely – excused at 9:58 a.m.); Brad Waddell, MD; and Public Member Lynne M. Weinstein

Board Members Absent: Chair Maroulla S. Gleaton, MD; Noah Nesin, MD and David H. Flaherty, PA

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

Attorney General’s Office Staff Present: Assistant Attorney General Jennifer Willis

The Board met in public session except during the times listed below which were held in executive session. Executive sessions are held to consider matters which, under statute, are confidential (*e.g.*, 1 M.R.S. § 405; 10 M.R.S. § 8003-B; 22 M.R.S. § 1711-C; 24 M.R.S. § 2510; 32 M.R.S. § 3282-A). The Board moved, seconded, and voted the following executive session times. During the public session of the meeting, actions were taken on all matters discussed during executive session. In accordance with the “Board Member Remote Participation Policy” adopted by the Board on November 14, 2023, the Board Chair approved remote participation of several Board members pursuant to Section 2(F) of that policy. Votes were conducted by roll call with members voting “for” “against” or “abstain.” In addition, though not required by law, the initial portion of the meeting to conduct regular business was made virtually available to the public not attending the meeting in person using the platform Zoom. A link for the public to access the Board meeting virtually was included on the Board’s agenda and posted on its website.

EXECUTIVE SESSIONS

PURPOSE

8:48 a.m. – 9:20 a.m.

Pursuant to 1 M.R.S. § 405(6)(F); 10 M.R.S. § 8003-B(1); and 22 M.R.S. § 1711-C to discuss all matters pertaining to the licensee currently pending before the Board

9:42 a.m. – 9:57 a.m.

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

RECESSES

9:58 a.m. – 10:07 a.m.

Recess

11:15 a.m. – 11:22 a.m.

Recess

11:57 a.m. – 12:33 p.m.	Lunch
1:57 p.m. – 2:05 p.m.	Recess
3:11 p.m. – 3:19 p.m.	Recess
4:04 p.m. – 4:13 p.m.	Recess

I. Call to Order

Mr. Ross called the meeting to order at 8:01 a.m.

A. Amendments to Agenda

Dr. Fay-LeBlanc moved to amend AD24-255 onto the agenda. Ms. Weinstein seconded the motion.

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

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

B. Scheduled Agenda Items

1. 9:00 a.m. Adjudicatory Hearing – Ian G. Reight, MD (CR21-72 & CR24-170)

II. Licensing

A. Applications for Individual Consideration

1. Initial Applications

a. Andrew James Robitaille, PA

Dr. Fanjoy moved to investigate further and direct that Mr. Robitaille have a §3286 substance misuse evaluation. Dr. Ng seconded the motion.

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

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

b. Ashish Khanal, MD

Dr. Fay-LeBlanc moved to approve Dr. Khanal’s waiver request and grant the license. Dr. Ng seconded the motion.

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

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

c. P. Kent Harman, MD

Dr. Waddell moved to investigate further and direct that Dr. Harman have a §3286 neurocognitive and substance misuse evaluation and provide a detailed explanation of his clinical practice for the past five years. Alternatively, offer him leave to withdraw his application. Ms. Weinstein seconded the motion.

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

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

2. Reinstatement Applications (none)

3. Renewal Applications

a. Ron K. Her, MD

Dr. Fay-LeBlanc moved to withdraw the citation previously issued and approve Dr. Her’s request to withdraw his license. Dr. Ng seconded the motion.

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

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

b. Bernard H. Perlman, MD

The Board tabled the application to be discussed in conjunction with another matter on the agenda.

4. Requests to Convert to Active Status

a. Humaira Ashraf, MD

Dr. Fay-LeBlanc moved to investigate further and ask Dr. Ashraf to provide a detailed explanation of her clinical practice since July of 2022, explain why she

renewed her license in inactive status, and describe in what circumstances she would need to prescribe. Ms. Weinstein seconded the motion.

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

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

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

6. Requests for Collaborative/Practice Agreements (none)

B. Other Items for Discussion (none)

C. Citations and Administrative Fines (none)

D. Licensing Status Report

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

E. Licensing Feedback (none)

F. Complaint Status Report

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

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

IV. Complaints

1. CR23-283 Avery R. Osella, MD

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

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

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

MOTION: The Board-issued complaint arose from a report received from a state agency regarding a diabetic medication change for a patient in a long-term care facility. In her response, the physician explained her management and medical decision-making regarding the care provided to the patient.

The guidance is as follows: For patients not on Comfort Measures Only, significant diabetes medication changes or discontinuation warrant occasional blood sugar checks to ensure they remain in the desired range. POLST forms help to clarify the level of care and avoid overtreatment or undertreatment when a patient’s condition changes.

2. CR24-103 Michael A. Ripley, MD

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

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

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

MOTION: The patient complained that the physician prescribed a high dose of prednisone for an extended period and now understands that it may have not been indicated. In response to the complaint and to questions from the Board, the physician explained his medical decision-making and treatment of the patient.

3. CR24-115 Hanna Campbell, PA

Mr. Ross 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 abstained.

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

The patient’s complaint involved the manner in which she was tapered from her benzodiazepine prescription. The physician assistant responded to the complaint, and explained the treatment provided to the patient.

The guidance is as follows: It is important for clinicians to understand the safety considerations involved and the nature of tapering benzodiazepines. Communications with a patient should clearly describe the tapering process and plan and it is important to ensure that patient understanding is achieved.

4. CR24-181 Jesse D. Leeds, MD

Dr. Ng 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 7 in favor, 1 abstained.

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

MOTION: A patient complained that during the physician’s initial encounter with her he hastily and inaccurately made a mental health diagnosis that caused the patient significant distress. The physician responded to the complaint and explained his medical decision-making.

The guidance is as follows: In order to reduce the risk of patients experiencing distress from the discussion of a mental health diagnosis, clinicians should document the clinical elements supporting the diagnosis over a period of time, consider use of screening tools, collaborate with other providers and therapists, and discuss the diagnosis with the patient in a planned manner to minimize patient distress and maximize opportunities for the patient to improve.

5. Intentionally left blank

V. Assessment and Direction

6. AD24-245

At 8:48 a.m. Mr. Ross moved to enter executive session pursuant to 1 M.R.S. §405(6)(F), 10 M.R.S. §8003-E(1) and 22 M.R.S. §1711-C to discuss all matters pertaining to the licensee currently pending before the Board. Dr. Fay-LeBlanc seconded the motion.

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

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

At 9:20 a.m. Mr. Ross moved to come out of executive session. Dr. Ng seconded the motion.

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

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

Dr. Fay-LeBlanc moved to issue a complaint (**CR24-256**), offer a consent agreement for permanent surrender of license and alternatively direct the physician to have a comprehensive evaluation with polygraph. Ms. Weinstein seconded the motion.

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

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

7. AD24-250

Dr. Fay-LeBlanc moved to close the matter with no further action. Dr. Fanjoy seconded the motion.

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

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

8. AD24-255

At 9:42 a.m. Dr. Waddell moved to enter executive session pursuant to 1 M.R.S. §405(6)(E) to consult and seek legal advice. Dr. Fay-LeBlanc seconded the motion.

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

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

At 9:57 a.m. Dr. Ng moved to come out of executive session. Dr. Fay-LeBlanc seconded the motion.

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

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

Dr. Fay-LeBlanc moved to issue a complaint (**CR24-257**). Dr. Ng seconded the motion.

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

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

9. Pending Adjudicatory Hearings and Informal Conferences Report

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

10. Consumer Assistance Specialist Feedback (none)

VI. Informal Conference (none)

VII. Minutes for Approval

A. October 8, 2024

Ms. Weinstein moved to approve the minutes of the October 8th meeting. Dr. Fay-LeBlanc seconded the motion.

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

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

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. David L. Conner, MD

Dr. Fay-LeBlanc moved to require that Dr. Conner complete a CME course on medical record keeping as recommended by the practice monitor. Ms. Weinstein seconded the motion.

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

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

2. Dashiell Jordan, MD

Dr. Fanjoy moved to approve conversion of Dr. Jordan’s license to active status. Dr. Ng seconded the motion.

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

Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For

Mr. Jamison: For Ms. Weinstein: For

3. Bernard H. Perlman, MD

Dr. Fanjoy moved to suspend Dr. Perlman’s license based on substantial and material noncompliance with paragraphs 12a, 12b, 12c and 12d of his consent agreement. Dr. Fay-LeBlanc seconded the motion.

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

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

Dr. Fay-LeBlanc moved to table Dr. Perlman’s renewal application. Dr. Fanjoy seconded the motion.

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

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

4. Byron A. Velander, MD

Dr. Fay-LeBlanc moved to accept the surrender of Dr. Velander’s Maine medical license. Dr. Waddell seconded the motion.

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

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

IX. Adjudicatory Hearing

A. CR21-72/CR24-170 Ian G. Reight, MD

Hearing Officer Rebekah J. Smith, Esq. convened the hearing at 10:08 a.m.

Dr. Reight was present and represented by Kathleen Healy, Esq. and Seth Orkand, Esq.

AAG Lisa Wilson represented Board Staff.

Following witness testimony, the hearing adjourned at 4:36 p.m. and is scheduled to continue December 10, 2024.

X. Remarks of Chair (none)

XI. Executive Director’s Monthly Report

The Board reviewed Mr. Terranova’s written report.

A. MMA-CQI Milestone Report

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

B. Approval of Resolve

Following review, Dr. Fanjoy moved to approve the resolve. Ms. Weinstein seconded the motion.

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

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

C. Alternate Licensing Model Comments

Following review, Dr. Fay-LeBlanc moved to approve the comments to be submitted on behalf of the Board. Dr. Waddell seconded the motion.

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

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

XII. Assistant Executive Director’s Report

The Board reviewed Ms. Hunt’s written report.

XIII. Medical Director’s Report (none)

XIV. Remarks of Assistant Attorney General (none)

XV. Rulemaking (none)

XVI. Policy Review (none)

XVII. FSMB Material (none)

XVIII. FYI

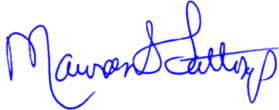
This material was presented for informational purposes. No Board action was required.

XIX. Other Business (none)

XX. Adjournment 4:37 p.m.

At 4:37 p.m. Dr. Waddell moved to adjourn the meeting. Dr. Fay-LeBlanc seconded the motion, which passed unanimously.

Respectfully submitted,



Maureen S. Lathrop
Administrative Assistant



Janet T. Mills
GOVERNOR

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

Maroulla S. Gleaton, MD
CHAIR

Timothy E. Terranova
EXECUTIVE DIRECTOR

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on November 14, 2023, I have approved several Board members to participate remotely for the initial portion of the meeting to conduct regular business (**8:00 a.m. – 9:00 a.m.**) at the November 12, 2024, meeting of the Board pursuant to Section 2(F) of that policy. The members participating remotely will not be participating in the adjudicatory hearing scheduled to begin at 9:00 a.m. and will be excused at the conclusion of regular business.

Members of the public may attend this meeting in-person at the Board’s Offices at 161 Capitol St, Augusta, Maine. The initial portion of the meeting to conduct regular business (**8:00 a.m. – 9:00 a.m.**) will be virtually available to the public through Zoom. The adjudicatory hearing scheduled to begin at 9:00 a.m. will **NOT** be virtually available through Zoom. Members of the public who wish to observe the adjudicatory hearing will need to attend in person.

Please post this approval to the Board website and update the agenda to include the Zoom information as soon as possible.

Maroulla S. Gleaton, MD
Chair, Maine Board of Licensure in Medicine

OFFICE LOCATION: 161 CAPITOL STREET, AUGUSTA, ME

PHONE: (207) 287-3601

www.maine.gov/md

FAX: (207) 287-6590