

State of Maine
Board of Licensure in Medicine
137 SHS, 161 Capitol Street
Augusta, Maine 04333-0137
October 11, 2022
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State of Maine
Board of Licensure in Medicine
137 SHS, 161 Capitol Street
Augusta, Maine 04333-0137
Minutes of October 11, 2022

Board Members Present: Maroulla S. Gleaton, M.D., Chair (excused 2:13 p.m. – 2:30 p.m. due to computer issues); Steven Blessington, P.A. (excused at 11:15 a.m.); Holly Fanjoy, M.D.; Renee Fay-Leblanc, M.D.; Gregory Jamison, RPh, Public Member (excused 9:24 a.m. – 9:27 a.m. due to computer issues); Kristina Lunner, Public Member (excused at 11:15 a.m.); Noah Nesin, M.D.; Brad Waddell, M.D.; and Lynne Weinstein, Public Member

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

Board Staff Present: Dennis E. Smith, Executive Director; Kenji Saito, M.D., Medical Director; Kelly McLaughlin, Complaint Coordinator; 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; Present during the Adjudicatory Hearing: Assistant Attorneys General Timothy Steigelman, Lisa Wilson, and Jennifer Willis

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on August 10, 2021, the Board Chair directed that the October 11, 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

10:16 a.m. – 10:24 a.m.

Pursuant to 32 M.R.S. 3300-A and 1 M.R.S. 405(6)(F) to discuss confidential information

RECESSES

9:48 a.m. – 10:00 a.m.

Recess

11:15 a.m. – 1:00 p.m.

Lunch

2:20 p.m. – 2:30 p.m.

Recess

3:39 p.m. – 3:50 p.m.

Recess

I. Call to Order

Dr. Gleaton called the meeting to order at 8:04 a.m.

A. Introduction of New Staff Member

Mr. Smith introduced Kelly McLaughlin, the Board's new Complaint Coordinator.

B. Amendments to Agenda

Dr. Fay-Leblanc moved to amend a second amendment to consent agreement onto the agenda. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

C. Scheduled Agenda Items

- 1. 1:00 p.m. Adjudicatory Hearing – Meryl J. Nass, M.D. (CR21-191, CR21-210 & CR22-4)**

II. Licensing

A. Applications for Individual Consideration

1. Initial Applications

a. Behnoosh Dashti, M.D.

Dr. Nesin moved to approve Dr. Dashti's license application. Dr. Fay-Leblanc seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For

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

Dr. Fay-Leblanc moved to delegate to the Board Secretary authority to approve applications of individuals who graduated from an unaccredited medical school who have taken and successfully passed the examination sets deemed by the Board to be substantially equivalent to the VQE (LMCC; USMLE; FLEX) so long as there are no other issues or other questionable information associated with the application. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

2. Reinstatement Applications (none)

3. Renewal Applications

a. Greeshma Reddy, M.D.

Dr. Nesin moved to approve Dr. Reddy's renewal application pending receipt of a letter of recommendation and documentation that she completed required continuing medical education. Dr. Fay-Leblanc seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

4. Requests to Convert to Active Status (none)

5. Requests to Withdraw License/License Application

a. Laura C. Louthan, P.A.

Ms. Weinstein moved to approve Ms. Louthan's request to withdraw her license application. Mr. Jamison seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: 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)

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

A. CR22-120 Farhaad Rahman Riyaz, M.D.

Dr. Nesin moved to approve the signed consent agreement. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For

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

B. CR20-133 Cameron R. Bonney, M.D.

Dr. Fay-Leblanc moved to approve the signed first amendment to consent agreement. Mr. Blessington seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

C. CR19-12/CR22-85 Amanda E. Buzzell, P.A. (amended onto agenda)

Dr. Nesin moved to approve the signed second amendment to consent agreement. Ms. Lunner seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

IV. Complaints

1. CR21-134

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. Blessington: For

Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A 2505 report was filed by a nurse care manager with concerns that the licensee fails to approve necessary home health services, placing patients at risk after discharge from the hospital. The licensee responded with a description of a robust process for determining whether patients meet criteria for eligibility for home health services before agreeing to attest to that fact. After initial review of the complaint the physician responded to additional questions from the Board. The licensee's responses were appropriate and also led to a discussion with the system's compliance department, which supports the licensee's interpretation of the rules in question.

2. CR21-143

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

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: Recused
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint was filed by the family of a patient whom the licensee was treating for a long-standing condition pursuant to a collaborative model of care. The complaint alleged that the licensee failed to communicate directly with family members regarding the patient's rapid change in condition following a discontinuation of long-prescribed medications. The licensee responded to the complaint and described the care and treatment provided. After initial review of the complaint, the Board requested the licensee respond to additional questions regarding the care and treatment of the patient. The licensee's responses to the Board's questions were appropriate.

3. CR21-167

Mr. Jamison moved to investigate further and communicate with the physician and his legal counsel likely conditions that would be included in any consent agreement to resolve this matter. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

4. CR21-207

Dr. Nesin moved to approve the physician's request for an informal conference regarding CR21-207 and CR22-56 to be scheduled as soon as possible. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

5. CR22-29

Dr. Waddell 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. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient complains that his urologic issue was not properly managed and that the care was provided in an unprofessional manner. Review of records demonstrates that

appropriate clinical care was provided in a team model. The patient concerns regarding unprofessional care seem to be largely attributable to his frustration with the team care model. The licensee has modified some aspects of the team care model to address issues identified by the patient. The patient has transferred his care to a practice with a care model that more suits him.

6. CR22-50

Dr. Gleaton 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. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Negin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient with comorbidities of diabetes and kidney failure on dialysis complains about the care he received from his ophthalmologist. The patient underwent uneventful cataract surgery in his right eye in January 2022, but the surgery was appropriately deferred due to a possible eyelid cystic infection in the left eye. This patient was a referral from a local optometrist who co-managed the patient with the ophthalmologist. Between this and the patient's rhinovirus illness as well as scheduled magnetic resonance imaging and the ophthalmologist's vacation, the second eye, once felt to be safe to do so, was operated on three months later. The patient experienced some visual confusion likely due to anisometropia which would be understandable but not treatable until the second cataract was operated on. Review of the records including consent forms, operating documents and telephone notes reveals appropriate care.

7. CR22-52

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

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Negin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The father of a minor patient complains the physician was condescending, dismissive, made an inappropriate joke and alleges treatment of his daughter during this office visit was unacceptable.

Review of the records reveals well thought out care was provided during this difficult encounter. The mom was defensive and resistant to the suggestions offered. The physician tried to put the child at ease and alleviate a look of fear with a lighthearted joke which the parents did not appreciate. This office visit which was difficult from the start only escalated as it proceeded, however appropriate care was provided.

8. CR22-56

See CR21-207 above.

9. CR22-58

Dr. Gleaton 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. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient complains about the care she received from a fellowship trained vitreo-retinal ophthalmologist. He treated her appropriately for exudative macular degeneration in her left eye. Unfortunately, she experienced a possible well-known and documented complication in the form of endophthalmitis, a serious eye infection. Review of the records reveals appropriate, exemplary diagnosis, treatment and care.

10. CR22-62

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

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For

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

MOTION: In this case a young woman was diagnosed with stage IV breast cancer. Review of prior mammograms failed to report the changes. Both the licensee and the expert reviewer agree on the findings that were missed on the mammograms. The licensee takes responsibility, and he has outlined the CME he has taken to increase his competence in reading mammograms and other breast imaging and has also outlined how he has changed his practice. This was a missed diagnosis, but he has already done the things this board would ask him to do.

11. CR22-89

Dr. Nesin moved to investigate further, obtain an expert review of charts for ten patients receiving chronic controlled medication prescriptions, request that the physician provide a copy of the office policy regarding controlled substance prescribing and monitoring, and explain the significant number of patients in her practice chronically prescribed opioids. Ms. Lunner seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

12. CR22-90

Dr. Fanjoy 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. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: Not present
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A child was being seen by the licensee for routine care and was being monitored for lead poisoning and poor weight gain. The patient's mother alleges the licensee was condescending and implied that the child was in danger and was malnourished. The records show that the child had slow weight gain and was trending lower on the weight curve. The licensee made appropriate recommendations and efforts to improve nutrition. The care rendered by the licensee was appropriate.

13. CR22-92

Dr. Fay-Leblanc moved to investigate further, obtain an expert review of ten patient charts and request that the physician respond to questions from the Board. Dr. Nesin seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

14. CR22-104

Dr. Fanjoy moved to table the matter. Mr. Blessington seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

15. CR22-105

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

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

Dr. Gleaton: For

Mr. Blessington: Recused
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient was seen for abdominal pain and swelling in the setting of recent abdominoplasty with concern for a postoperative seroma. The patient alleges the licensee was dismissive, condescending and unprofessional in his behavior. The patient received appropriate care in the emergency department with a solid treatment plan for next day follow-up with general surgery. The records document that the patient was agitated, hostile, and demanded definitive emergent treatment for her condition. The care rendered by the licensee was appropriate and within the standard of care.

16. CR22-124

Dr. Fay-Leblanc moved to investigate further and request that the physician respond to questions from the Board. Dr. Nesin seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

17. CR22-141

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

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For

Ms. Weinstein: For

MOTION: The patient complains that he received inadequate care after his injury. He specifically complains that the licensee “abandoned” him in the postoperative period. Review of the records indicates that the patient received timely and clinically appropriate care from the licensee and the licensee’s team of fellow surgeons and advanced practice professionals.

At 10:16 a.m. Dr. Waddell moved to enter executive session pursuant to 32 M.R.S. § 3300-A and 1 M.R.S. § 405(6)(F) to discuss confidential information. Ms. Lunner seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

At 10:24 a.m. Dr. Waddell moved to come out of executive session. Dr. Fay-Leblanc seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

No further action was taken.

18. CR22-153

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

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

Dr. Gleaton: Recused
Mr. Blessington: For

Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint materials, including multiple pertinent interviews, were reviewed. This complaint adds nothing new to the prior complaints that are pending adjudicatory hearing vs consent agreement.

19. CR22-76

Ms. Weinstein moved to investigate further and obtain an expert review of the case. Dr. Waddell seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

20. CR22-186

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

A roll call vote was taken, and the motion passed unanimously. AAG Miller was recused from advising the Board on this matter.

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The Board received a complaint filed against the licensee from a patient who was treated in an emergency room. The licensee responded to the complaint and indicated that

she was not involved in any way in the patient's care and treatment. Review of the relevant medical records corroborate the licensee's response that she was not involved in the patient's care and treatment.

21. CR22-156

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

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: Recused
Ms. Weinstein: For

MOTION: The complaint was initiated by the Board following its review of a mandated report from a health care facility pursuant to 24 M.R.S. § 2506 based upon its termination of the licensee's employment for allegedly engaging in inappropriate online conduct. The Board requested that the licensee complete an evaluation with polygraph at VCAP. The licensee responded to the complaint and denied engaging in inappropriate online conduct. The licensee voluntarily completed the VCAP evaluation and polygraph, neither of which identified any concerns.

22. Intentionally left blank

V. Assessment and Direction

23. AD22-162

Dr. Fanjoy moved to issue a complaint (**CR22-206**), obtain ten patient charts for review, and order the physician to undergo a neuropsychological evaluation. Ms. Lunner seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For

Ms. Weinstein: For

24. AD22-171

Dr. Nesin moved to issue a complaint (**CR22-207**). Dr. Fanjoy seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

25. Intentionally left blank

26. Intentionally left blank

27. Pending Adjudicatory Hearings and Informal Conferences Report

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

28. Consumer Assistance Specialist Feedback

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

VI. Informal Conference (none)

VII. Minutes for Approval

Dr. Nesin moved to approve the minutes of the September 13, 2022 meeting. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: Abstained
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. Elmer H. Lommler, M.D.

Dr. Fay-Leblanc moved to deny Dr. Lommler's request for modification of the June 2022 Decision and Order and respectfully request that he comply with the terms of the Decision and Order and not make continued requests for modification. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

IX. Adjudicatory Hearing 1:00 p.m.

Hearing Officer Rebekah J. Smith, Esq. convened the hearing at 1:06 p.m.

Dr. Nass was present and represented by Gene R. Libby, Esq. and Tyler J. Smith, Esq. Assistant Attorneys General Timothy Steigelman, Lisa Wilson, and Jennifer Willis represented Board Staff.

The Board voted on the following motions filed by the licensee:

Motion to Dismiss

Dr. Nesin moved to deny the licensee's motion to dismiss. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

Motion to Vacate Suspension/Order Directing Evaluations

Dr. Waddell moved to deny the licensee’s request to vacate the suspension and order directing evaluations. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

Motion to Recuse

Each Board member was asked to make a determination as to whether he or she will recuse from presiding over this matter due to bias or a personal or financial interest.

A roll call vote was taken with the following responses:

Dr. Gleaton: No
Dr. Fanjoy: No
Dr. Fay-Leblanc: No
Mr. Jamison: No
Dr. Nesin: No
Dr. Waddell: No
Ms. Weinstein: No

The hearing adjourned at 4:58 p.m. and is scheduled to continue on October 25, 2022.

X. Remarks of Chair

Dr. Gleaton reported that she will be attending the 2022 Tri-Regulator Symposium, a meeting of members of the Federation of State Medical Boards, National Association of Boards of Pharmacy, and the National Council of State Boards of Nursing.

XI. Remarks of Executive Director

Mr. Smith reported that Frederick C. Goggans, M.D. resigned from the Board effective September 30, 2022.

A. 2023 Proposed Travel for Approval

Dr. Fanjoy moved to approve 2023 proposed travel for Board members and/or staff. Mr. Jamison seconded the motion.

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

Dr. Gleaton: For
Mr. Blessington: For
Dr. Fanjoy: For
Dr. Fay-Leblanc: For
Mr. Jamison: For
Ms. Lunner: For
Dr. Nesin: For
Dr. Waddell: For
Ms. Weinstein: For

B. Bureau of Motor Vehicles – Proposed Rulemaking (FYI)

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

XII. Assistant Executive Director’s Report

The Board reviewed Mr. Terranova’s written report.

XIII. Medical Director’s Report (none)

XIV. Remarks of Assistant Attorney General (none)

XV. Rulemaking (none)

XVI. Policy Review (none)

XVII. Requests for Guidance (none)

XVIII. Board Correspondence (none)

XIX. FSMB Material (none)

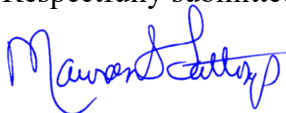
XX. FYI (none)

XXI. Other Business (none)

XXII. Adjournment

The meeting ended at 4:59 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 August 10, 2021, I am directing that the October 11, 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 October 11, 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 September 20, 2022, 287,032 residents have been infected (206,684 confirmed and 80,348 probable), 5,729 residents have been hospitalized with the virus, and 2,569 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 September 20, 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 211; the number of new cases (confirmed and probable) statewide is 1,482; the number of current hospitalizations is 141 (with 23 in critical care); the number of validated vaccine breakthrough cases is 110,859; the total number of deaths is 2,569. (<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 September 20, 2022, the Omicron variant represents 100 percent of all sequenced samples collected in Maine.
7. As of September 20, 2022, 7 of Maine's counties are in the “low”, 9 counties are in the “medium” and ZERO counties are in the “high” transmission category as defined by the U.S. Centers for Disease Control and Prevention.
(https://covid.cdc.gov/covid-data-tracker/#county-view?list_select_state=Maine&data-type=CommunityLevels)
8. Eight of the Boards’ members (6 physicians and 2 physician assistants) are actively practicing medicine or rendering medical services and are potentially exposed to the COVID-19 virus while seeing and treating patients at medical facilities, including hospitals, despite taking precautionary measures.
9. 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, for members of the Board, its staff, licensees, and members of the public.
10. Conducting an in-person Board meeting on October 11, 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, after consultation with you, I have determined that there is an emergency such that the October 11, 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 Board of Licensure in Medicine

BOARD OF LICENSURE IN MEDICINE

DATE: OCTOBER 3, 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 September 2022 by license type (95);
- A list of all individuals granted a new license in September 2022;
- A summary of all pending applications by license type (278);
- A list of online vs. paper renewals in September 2022 by license type (91.88%);
- The number of licenses expired September 30, 2022 (71);
- The number of licenses lapsed for date June 30, 2022 (50); and
- The list of licenses withdrawn in September 2022 (3).

In addition, the overall licensing statistics include:

- The number of active MD licenses (not including EC) on October 3, 2022 (7,460);
- The number of active MD licenses with a Maine address (not including EC) on October 3, 2022 (3,744);
- The number of active PA licenses on October 3, 2022 (1,131);
- The number of active PA licenses with a Maine address on October 3, 2022 (1,007); and
- The number of licenses pending renewal on October 3, 2022 (56).

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

EL - EMERGENCY 100-DAY LICENSE

A - Active	1	
		1
SUBTOTAL:		1

MD - MEDICAL DOCTOR

A - Active	81	
		81
SUBTOTAL:		81

PA - PHYSICIAN ASSISTANT

A - Active	12	
		12
SUBTOTAL:		12

TM - TELEMEDICINE

A - Active	1	
		1
SUBTOTAL:		1

SUMMARY BY LICENSE STATUS

A - Active	95	
		95
TOTAL ALL LICENSES:		95

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

Selection File: MONTHLY-ISSUED

MD26491 - HAMID REZA ABBASI, MD

TM26448 - BAYODE ADEMOLA AFOLALU, MD

MD26359 - KHALED AL SIBAI, MD

MD25345 - ZAINAB ALAM, MD

MD26406 - LEROY ARENIVAR, MD

MD26455 - ALEXANDER PATRICK AUCHUS, MD

PA2445 - ASHLEY NICOLE BASSETT, PA

MD26410 - GREGORY HAPET BERBERIAN, MD

MD26470 - WILLIAM PAUL BERG, MD

MD26259 - STUART VASCHE BRAUN, MD

MD26425 - BENJAMIN KEITH BROOKS, MD

MD26303 - SWORD CHRISTIAN CAMBRON, MD

MD25197 - UMBERTO CAMPIA, MD

PA2439 - BRITTANY LEE CATLING, PA

MD26391 - WILLIAM CHONG, MD

MD26440 - BARTON MATTHEW CLEMENTS, MD

MD26490 - BARRY ALAN COHEN, MD

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

PA2359 - TIFFANY RENEE COMERIE, PA

MD26517 - HELEN ELIZABETH COUNTS, MD

MD26492 - BARRETT EDWARD COWAN, MD

MD26333 - DANIEL SIMPSON CROTHERS, MD

MD26295 - MARK CHRISTOPHER CULLEN, MD

EL221021 - BRIAN CHARLES CUSICK, MD

MD26424 - BRIAN CHARLES CUSICK, MD

MD26023 - JOHN DELLABADIA JR, MD

MD26350 - PAUL TERENCE DUBE, MD

MD26513 - LESLIE KYRIN DUNSTON, MD

MD26494 - ANA MARIA ECHENIQUE, MD

MD26441 - ELIZABETH ANGELA EDELSTEIN, MD

MD25987 - JASON ERIC EDLING, MD

MD26382 - NATHAN ROBERT ELWOOD, MD

PA2408 - TANYA LYN FEDYSHYN, PA

MD26473 - JASON SCOTT FINKELSTEIN, MD

MD26302 - CALEB PRESSMAN GARDNER, MD

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

MD26256 - BORIS N. GOLOSARSKY, MD

MD26449 - FRANCISCO GOMEZ-DOSSI, MD

MD26320 - RODNEY LEWIS GUIMONT JR, MD

MD26462 - JEFFREY DYLAN HALL, MD

MD26325 - TAMLYN MARISA HALL, MD

MD26519 - PAUL CARLISLE HARRISON, MD

MD26442 - JONATHAN EDWARD HASSON, MD

MD26413 - BRIAN WILLIAM HAYES, MD

MD26329 - SAAD MOHAMMAD IBRAHIM, MD

MD26423 - ALEXANDRU IORGA, MD

MD26439 - DAVID BRENT JOYE, MD

MD26472 - LEE ANN WATKINS KEELING, MD

PA2434 - GARBIS D. KEUSSEYAN, PA

MD26514 - KEI KIKUHARA, MD

MD26496 - BRANDON MICHAEL KIRSCH, MD

MD26340 - ANN STEWARD LACASCE, MD

MD26272 - ACACIA CHRISTINE LAMB, MD

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

MD26505 - VICTOR VAHID LAMI, MD

MD25756 - EUDOCIA QUANT LEE, MD

MD26445 - AIMEE S. LISCHKE, MD

MD26450 - EVA LEIGH LIZER, MD

MD26429 - BRENELLY LOZADA-CRUZ, MD

MD26474 - MAULIK DILIPKUMAR MAJMUDAR, MD

PA2388 - JOANNA SEWALL MANUM, PA

PA2360 - MARCO CHRISTIAN MONTECALVO, PA

MD26471 - GAVIN MORELAND, MD

MD26444 - CHANDRASHEKAR NARAYANA, MD

MD26469 - HEATHER ANNE NEUMAN, MD

MD26495 - CARLOS ERNESTO NOLASCO MORALES, MD

MD26361 - KOLAWOLE OLUKAYODE OLUGBADE JR, MD

MD26452 - MARIA LUCIA ORDONEZ, MD

MD26388 - YVONNE LYNN OTTAVIANO, MD

MD26512 - VITOR HUGO PACHECO, MD

MD26348 - DEEPALI PANDEY, MD

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

MD26443 - MARIA ANNE PIELAET, MD

MD25371 - ANDREW ELLIOTT PLACE, MD

MD23920 - MADELEINE PUISSANT, MD

MD25195 - OMAR RIECHE, MD

MD26419 - ERNEST JAMES GERALES RIN, MD

MD26465 - STEVEN ALAN ROGERS, MD

MD26412 - ERIK JOHNSTON RUPARD, MD

MD26356 - MELANIE HOPE SCHARRER, MD

MD26398 - JAMES FRANCIS SEXTON, MD

MD26454 - REHAN S. SHAH, MD

MD26426 - STEPHEN CHARLES SIROTA, MD

MD26166 - GREGORY GEORGE SMAROFF, MD

MD26518 - CRAIG ANTHONY SMITH, MD

MD26453 - JONATHAN MICHAEL SNIPES, MD

PA2435 - ABIGAIL SPRAGINS, PA

MD26459 - JANET VOKOUN STARCK, MD

PA2373 - TIFFANI CHERHYS STEWART, PA

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

PA2426 - WESLEY SULLOWAY, PA

MD25491 - CHRISTOPHER CHARLES THOMPSON, MD

MD26291 - JAMES L. THOMPSON JR, MD

PA2315 - JOHN JAIRO UPEGUI, PA

MD26516 - SANDHYA VETHACHALAM, MD

MD25493 - MOLLIE GROSS WARREN, MD

MD26307 - DEBRA L. WEINSTEIN, MD

MD26493 - JAMES B. WESTMORELAND, MD

MD26372 - WILLIAM GODFREY WHEELER III, MD

PA2417 - HANNAH ROSE WRIGHT, PA

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

EC - TEMPORARY EDUCATIONAL CERTIFICATE		
P - Pending	1	
SUBTOTAL:	<u>1</u>	
EL - EMERGENCY 100-DAY LICENSE		
P - Pending	4	
SUBTOTAL:	<u>4</u>	
MD - MEDICAL DOCTOR		
P - Pending	222	
SUBTOTAL:	<u>222</u>	
PA - PHYSICIAN ASSISTANT		
P - Pending	45	
SUBTOTAL:	<u>45</u>	
TM - TELEMEDICINE		
P - Pending	6	
SUBTOTAL:	<u>6</u>	

SUMMARY BY LICENSE STATUS

P - Pending	<u>278</u>	
TOTAL ALL LICENSES:	278	

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	249	181	43	224	25	89.96
MEDICINE	376	MDA	3	3	0	3	0	100
MEDICINE	376	MDE	18	16	1	17	1	94.44
MEDICINE	376	MDV	0	0	0	0	0	0
MEDICINE	376	PA	48	34	14	48	0	100
MEDICINE	376	TM	2	2	0	2	0	100

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

Selection File: WITHDRAWALS

MD17948 - SETH M. HARDY, MD

MD21898 - EARL RODNEY HORNBAKE III, MD

MD21880 - GLORIA M. KARDONG, MD