Board of Licensure in Medicine

Minutes Index

October 8, 2024

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Maine Board of Licensure in Medicine Minutes of October 8, 2024 8:01 a.m. – 2:33 p.m.

Board Members Present: Chair Maroulla S. Gleaton, MD (participated remotely); Secretary Christopher R. Ross, PA; Holly Fanjoy, MD; Renee M. Fay-LeBlanc, MD; David H. Flaherty, PA; Noah Nesin, MD; Anthony T. Ng, MD; Public Member Jonathan Sahrbeck (excused at 1:48 p.m.); and Public Member Lynne M. Weinstein

Board Members Absent: Brad Waddell, MD and Public Member Gregory Jamison, RPh

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 Specialist Tracy Morrison; and Licensing Specialist Savannah Okoronkwo

Attorney General's Office Staff Present: Assistant Attorney General Michael Miller and 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). 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 a Board member 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 meeting 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
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None

RECESSES

9:11 a.m. – 9:20 a.m. Recess

10:31 a.m. – 10:40 a.m. Recess

12:06 p.m. – 12:56 p.m. Lunch

I. Call to Order

Dr. Gleaton called the meeting to order at 8:01 a.m.

A. Amendments to Agenda

Mr. Ross moved to amend the license application of Sharon K. Breit, MD onto the agenda. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
M. E1-1	E		

Mr. Flaherty: For

B. Scheduled Agenda Items (none)

II. Licensing

A. Applications for Individual Consideration

1. Initial Applications

a. Romie Nelson Munday, MD

Mr. Ross moved to approve Dr. Mundy's request to withdraw his license application. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
M F1 1	Г		

Mr. Flaherty: For

b. Glenn W. Currier, MD

Dr. Fanjoy moved to investigate further and obtain a copy of the evaluation reference in Dr. Currier's license application or direct that he undergoes a §3286 psychiatric and substance misuse evaluation. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed 8-0-0-1. Dr. Ng was recused from the matter and left the room.

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: Recused Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For Mr. Flekerty: For

Mr. Flaherty: For

c. Sharon K. Breit, MD

Dr. Fay-LeBlanc moved to grant Dr. Breit's waiver request and offer her a consent agreement requiring compliance with action taken in another licensing jurisdiction. Alternatively, offer Dr. Breit leave to withdraw her application while not under investigation. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Mr. Sahrbeck: Dr. Fanjoy: For For Dr. Fay-LeBlanc: For Ms. Weinstein: For Mr. Flaherty: For

2. Reinstatement Applications (none)

3. Renewal Applications

a. Kevin F. Strong, MD

This matter was tabled to be discussed in conjunction with another matter on the agenda.

b. Ron K. Her, MD

Mr. Ross moved to issue a citation, offer Dr. Her fourteen days to submit the required CME documentation and grant his renewal application upon receipt of the CME documentation, payment of fine and issuance of a letter of guidance or offer him leave to withdraw his renewal application. Alternatively, preliminarily deny the renewal application. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For

Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

c. Sara Ann Saad El-Dein, MD

Dr. Fanjoy moved to grant an active license renewal. Mr. Ross seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

d. Lola Amdahl, PA

Dr. Nesin moved to investigate further and issue a complaint. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
Mr Flaherty:	For		

Mr. Flaherty: For

4. Requests to Convert to Active Status

a. Rachel Christine Stadler, PA

Dr. Fanjoy moved to offer Ms. Stadler a consent agreement requiring compliance with her practice agreement and delegating signature to the Board Chair. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
Mr. Elabortza	Eam		

Mr. Flaherty: For

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

6. Requests for Collaborative/Practice Agreements

a. Mary P. Dale, PA

Dr. Fanjoy moved to approve Ms. Dale's practice agreement. Dr. Ng seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
M. E1-1	F		

Mr. Flaherty: For

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

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

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

A. CR23-165 Jake N. Cho, MD

Dr. Nesin moved to approve and ratify the consent agreement. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

B. CR23-200 Scott M. Davis, MD

Mr. Ross moved to approve and ratify the consent agreement. Dr. Ng seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

IV. Complaints

1. CR24-170

Ms. Weinstein moved to grant the request to consolidate the matter into the pending adjudicatory hearing. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed 5 in favor, 1 against, 1 abstaining and 2 recused. Dr. Gleaton and Mr. Ross were recused from the matter. Dr. Gleaton's video was turned off and Mr. Ross left the room.

Dr. Gleaton:RecusedDr. Nesin:ForMr. Ross:RecusedDr. Ng:AgainstDr. Fanjoy:ForMr. Sahrbeck:ForDr. Fay-LeBlanc:ForMs. Weinstein:For

Mr. Flaherty: Abstain

2. CR21-167

Dr. Fay-LeBlanc moved to offer the physician leave to withdraw his renewal applications and alternatively, to preliminarily deny the renewal applications. Ms. Weinstein seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

3. CR23-53 Benjamin D. Liess, MD

Dr. Fanjoy moved to issue a citation and dismiss the complaint with a letter of guidance upon payment of the fine. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

MOTION: The patient complained that the physician was hurried, abrupt, and dismissive in his communications with her, and that he failed to appropriately respond to an acute pain issue attributed to his treatment. The physician responded to the complaint and explained his treatment of the patient. The Board conducted further investigation, and the physician voluntarily took a continuing medical education course.

The guidance is as follows: Great care should be taken to maintain effective and empathetic patient communication. Patient evaluations should be thorough, clearly explained, and accurately documented with appropriate follow-through.

4. CR23-260 Anika S. Goodwin, MD

Dr. Gleaton 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 unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
	_		

Mr. Flaherty: For

MOTION: The Board initiated a complaint following a referral from the Maine State Board of Optometry that an optometrist alleged that the physician prescribed contact lenses to a patient solely on the basis of a computer "kiosk exam" in violation of law. The physician responded to the complaint and explained the process utilized for providing the renewal of a contact lens prescription.

The guidance is as follows: The American Academy of Ophthalmology recommends dilated fundus examinations every 2 to 4 years for patients over 40. Even when

administering contact lens prescriptions, the contact lens prescription should reflect that timeline guidance for best practice.

5. CR23-261

Mr. Ross moved to investigate further and request that the physician respond to questions from the Board. Mr. Flaherty seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
M. F1-1	E		

Mr. Flaherty: For

6. CR23-275 Timothy P. Canham, PA

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

A roll call vote was taken, and the motion passed 8 in favor, 1 recused. Dr. Nesin was recused from the matter and left the room.

Dr. Gleaton:	For	Dr. Nesin:	Recused
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
N.C. 171.1	_		

Mr. Flaherty: For

MOTION: A patient complained that the physician assistant asked invasive and unnecessary questions that made the patient feel unsafe. In response to the complaint, the physician assistant explained the treatment provided to the patient. The Board conducted further investigation, and the physician assistant voluntarily took a continuing medical education course requested by the Board.

The guidance is as follows: It is important to maintain knowledge of transgender issues in health care, to be sensitive to patient diversity, and to be alert to avoid potential bias in medicine.

7. CR23-283

Dr. Fay-LeBlanc moved to investigate further and issue a letter of guidance. Mr. Flaherty seconded the motion.

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

For	Dr. Nesin:	For
For	Dr. Ng:	For
For	Mr. Sahrbeck:	For
For	Ms. Weinstein:	For
	For For	For Dr. Ng: For Mr. Sahrbeck:

Mr. Flaherty: For

8. CR24-24

Ms. Weinstein moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
3.6 71.1	_		

Mr. Flaherty: For

MOTION: A patient complains about the care she received from this physician, his lack of empathy and compassion with brief explanations to her regarding a procedure. The Board requested that the physician voluntarily take a Board-approved course on physician-patient communication and report back to the Board.

The licensee completed the course, recognized how he could have handled the patient differently, identified his shortcomings and how he will utilize what he learned from the course. The report and action plan are identified, and the licensee will be making changes within the practice.

9. CR24-60 Rezeda Zinyatullova, PA

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

MOTION: The Board-issued complaint arose from an investigation regarding the physician assistant's termination from employment at a facility following issues with chart completion and a medication error. In response to the complaint, the physician assistant described the practice environment and her home situational issues which contributed to this situation. The Board conducted further investigation that was reassuring.

The guidance is as follows: You are encouraged to seek employment with a slower pace, decreased patient volume, and sufficient supervisory support to assist you in maintaining a satisfactory and successful practice.

10. CR24-64 John M. Woytowicz, MD

Dr. Nesin moved to dismiss the complaint with a letter of guidance. Dr. Ng seconded the motion. Mr. Ross was recused from the matter and left the room.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	Recused	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
M Dil 4	Г		

Mr. Flaherty: For

MOTION: The patient alleged that the physician did not properly evaluate a breast mass resulting in a delay in diagnosis. The physician responded to the complaint and explained his treatment of the patient.

The guidance is as follows: It is important to maintain a broad differential diagnosis when a patient presents with a new complaint. The rationale behind inclusion or exclusion of diagnoses should be documented in the patient record together with all actions taken to follow through with any treatment plans.

11. CR24-86

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

Mr. Flaherty: For

MOTION: The complainant is the child of a patient who was receiving hospice care through an agency with which the licensee is contracted and complained that the nurse service inappropriately contacted the complainant asking if it would be OK to skip a scheduled visit with the patient and that the licensee has never seen the complainant's parent.

The licensee responded that he is not an employee of the agency that provides hospice care to the patient in question, but rather works under a contract, that he had "nothing

to do with the event" and that the patient was, in fact, seen as scheduled after the concern was communicated and the patient remained stable.

Follow up questions were sent to the licensee, who satisfactorily expressed understanding of his responsibilities to the patient and clarified some of the ambiguous statements in the initial response.

12. CR24-103

Dr. Fay-LeBlanc moved to investigate further and issue a letter of guidance. Ms. Weinstein seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
M Pl 1	Г		

Mr. Flaherty: For

13. CR24-107 Alicia Plummer, MD

Dr. Fanjoy moved to dismiss the complaint with a letter of guidance as amended. Dr. Ng seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
Mr. Flaharty	For		

Mr. Flaherty: For

MOTION: The complaint alleges that the physician was rushed and cursory in her emergency department (ED) evaluation, and dismissive of specific concerns expressed to her. The patient presented subsequently to a different ED and was emergently treated for a pharyngeal abscess. In her response, the physician explained her medical decision making and reflected on the importance of patient communication.

The guidance is as follows: Great care should be taken to establish effective high-quality communication in order to improve practice performance, enhance diagnostic acumen, and improve patient outcomes.

14. CR24-108

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

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

MOTION: A patient complains the licensee shared medical information unrelated to her claim for workers compensation and violated HIPAA. The licensee followed guidelines. The HIPAA privacy rule does not apply to entities that are related to workers compensation claims. The patient signed the employer service authorization for disclosure of protected health information (PHI) HIPAA release.

15. CR24-115

Mr. Ross moved to investigate further and issue a letter of guidance. Dr. Ng seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
Mr. Elalanter	Eas		

Mr. Flaherty: For

16. CR24-117 Bart J. DeCristoforo, PA

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

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
N 6 T1 1 4	Г		

Mr. Flaherty: For

MOTION: The patient complains that following assuming their care from another provider, the physician assistant changed longstanding prescriptions without discussion, and that he was abrupt, dismissive, and judgmental. The physician assistant responded to the complaint and explained his treatment of the patient.

The guidance is as follows: It is important to maintain a compassionate and traumainformed approach to communication in emotionally charged patient encounters.

17. CR24-132

Dr. Fay-LeBlanc moved to dismiss the complaint. Mr. Flaherty seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
3.6 701.1	_		

Mr. Flaherty: For

MOTION: The patient complains because the licensee did not feel the patient's thoracic back pain was work related. The patient alleges that the licensee's decision was influenced by someone high up at the patient's workplace. Review of the records reveals that the patient has suffered work related conditions since an injury in 2019. These were evaluated and have been under treatment. This complaint revolves around thoracic back pain – something that had not been worked up prior. There has not been any new or specific injury to this part of his spine and imaging showed degenerative changes that are consistent with the patient's age. The licensee's care has been reasonable, and their opinion is valid. There is no indication that the licensee has been influenced in his decision making.

18. CR24-134

Dr. Gleaton moved to investigate further and obtain an outside expert review by a general surgeon. Ms. Weinstein seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
3.5. 731.1	-		

Mr. Flaherty: For

19. CR24-136

Dr. Ng moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For

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

Mr. Flaherty: For

MOTION: The complainant is the mother of a seventeen-year-old patient and complains:

- The licensee ignored the complainant's concerns about her son's mental health
- The complainant emphasized that her son has depression, anxiety and autism
- The complainant indicated that when she tried to address issues with the licensee, the licensee said "so you would be to discontinue services"
- The complainant indicated that the licensee kept repeating the above phrase when she tried to make her concerns known
- The complaintant alleged that the licensee misdiagnosed her son, ignored or misread lab results and failed to perform proper aftercare or follow-up with the patient and his mother
- The complainant explained the license did not take an appropriate patient history and disregarded the patient's health history

The patient was referred back to the licensee through his case manager as the licensee had seen the patient in 2021-2022. In review of the records, the licensee did a comprehensive history and review and made recommendations to start Abilify to address symptoms of anxiety and mood instability. This seemed to work for a bit with some reported improvements by both the patient and mother. However, the improvement was not sustained. The complainant was noted to be "dismissive" of Abilify due to her own personal past experience. Documentation noted the complainant had become upset on several occasions due to lack of significant improvement with the patient and the licensee not responsive to her concerns. The licensee suggested referral to a specialty clinic and even hospitalization. The patient was eventually evaluated in the emergency department and then admitted. The patient was started on a regimen that the mother wanted and there was some improvement but then he deteriorated again. The documentation demonstrated attempts by both the licensee and her program to connect with the complainant to address her concerns at times without success but in the end not to her satisfaction.

The review of the records shows the licensee did meet the standard of care in the care of a very challenging clinical situation. There was evidence in the documentation that the license identified her rationale for treatment as well as working with the family. It is unfortunate that the regimen initiated by the licensee did not yield sustained improvement with the patient, which led to the complainant's frustration with treatment. No evidence of deviation of care was found.

20. CR24-140

Mr. Ross moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: A patient's daughter complains that the physician assistant did not listen to her concerns and overmedicated her father which led to more health issues. The physician assistant responded that she treated the patient appropriately for the appropriate diagnosis. There was a disagreement between family members on how his issues should be treated. Review of the records revealed the patient received reasonable care.

21. CR24-145

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

Mr. Flaherty: For

MOTION: The patient is bedbound with an indwelling foley catheter. The licensee consulted on the patient when he was in the hospital. The plan for foley catheter changes was complicated, as local visiting nursing agencies refused to provide care to the patient due to prior interactions with him. The licensee had agreed to change the catheter in his office if safe transportation could be arranged. When safe transport was not available, and the patient's wife relayed that the patient would need sedation for the catheter change, the licensee did not feel that changing the catheter in the office setting was safe. He called the patient's wife himself to talk with her and suggested other alternatives. She was understandably frustrated, as she has been unable to get the care her husband needs, and the conversation was difficult. Minimal records were available, given only one inpatient consultation occurred. Although the wife's anger and frustration are understandable, this licensee did his best to attempt to help.

22. CR24-149

Dr. Gleaton moved to dismiss the complaint. Mr. Sahrbeck seconded the motion. A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For Dr. Nesin: For

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

Mr. Flaherty: For

MOTION: A patient complained about the care she received from her board certified, fellowship trained gastroenterologist when he performed a preventative screening colonoscopy on her. Review of the records reveal appropriate reasonable preoperative, intraoperative and postoperative care and recommendations. The use of conscious sedation medications to accomplish the surgery does not allow the patient to have full recollections of the events surrounding this procedure.

23. CR24-151

Mr. Sahrbeck 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. Mr. Ross was recused from the matter and left the room.

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: Recused Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: The complainant, who is an incarcerated resident at a state facility, feels that the licensee has taken away medical appointments and denied medical care because he has filed complaints against her. The complainant provides a narrative that contains many allegations, and the licensee provides a detailed response with approximately 100 incidents of communication, appointments or care provided with the complainant which occurred from Fall 2023 into Spring 2024. From review of all the information, nothing in the records indicates that the licensee acted in an inappropriate or unprofessional manner. Given that, dismissal is appropriate.

24. CR24-152

Dr. Fanjoy moved to investigate further and request that the physician respond to questions from the Board. Mr. Flaherty seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

25. CR24-157

Dr. Fay-LeBlanc moved to investigate further and obtain an outside expert review. Mr. Ross seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

26. CR24-158

Dr. Gleaton moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: A patient complained about the care she received from an orthopedic surgeon who performed a one-time evaluation. She had been seen in the emergency room after she sustained a fall injury while shoveling her driveway and fractured her right distal fibula and malleolus. The licensee evaluated the patient and obtained a repeat x-ray which showed early healing and the fractures which were well aligned. The patient was advised that no further intervention was indicated surgically but that her symptoms could take up to a year to resolve. She could follow up as needed. The patient was still experiencing pain and swelling so she was sent by her rheumatologist for a second opinion and a CT scan was performed. She then consented for and had a major surgical repair with hardware placed. Both orthopedic evaluations and treatments were reasonable and appropriate; however, one was more conservative than the other given timeframe from event.

27. CR24-160

Dr. Fanjoy moved to dismiss the complaint. Mr. Ross seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For

Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: The complainant is a patient who alleges that the licensee has failed to provide appropriate care for his condition. The patient indicates that the only effective modality for his chronic pain is opioid therapy and alleges that the licensee has withheld this treatment unethically. The licensee responds that her management has been within the standard of care, and she follows the standards set forth in Chapter 21 and other guidelines. The patient received timely treatment for his needs with appropriate referrals, testing and medications prescribed appropriately with adherence to Universal Precautions. The licensee's response is professional and empathetic, and appropriate treatment is supported by the medical record.

28. CR24-162

Dr. Fanjoy moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: The patient alleges that the licensee failed to diagnose her condition and refused certain testing for her abdominal pain. She also claims the licensee inappropriately attributed her symptoms to anxiety. The patient refused lab work and left the emergency department prior to initiation of any work-up. She returned several days later and underwent a thorough evaluation at that time with an ultimate diagnosis of a likely malignant abdominopelvic mass. The licensee responds that he treated the patient respectfully and initiated an appropriate evaluation for her reported symptoms. Unfortunately, the patient left prior to any workup and the licensee did not have the opportunity to pursue and determine a cause for her underlying condition.

29. CR24-165

Dr. Gleaton moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed 8 in favor, 1 recused. Dr. Ng was recused from the matter and left the room.

Dr. Gleaton:ForDr. Nesin:ForMr. Ross:ForDr. Ng:RecusedDr. Fanjoy:ForMr. Sahrbeck:For

Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: A young woman complained about the evaluation she received from a board-certified family medicine physician during a federal program physical. Review of the records reveal reasonable evaluation and recommendations.

30. CR24-174

Dr. Fanjoy moved to investigate further and request that the physician propose CME for approval by the case reporter to address soft tissue/wound infections, mammalian bites and appropriate antibiotic treatment regimens and report to the Board what she gained from completing the CME. Mr. Flaherty seconded the motion.

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

31. CR24-177

Mr. Ross 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. Nesin was recused from the matter and left the room.

Dr. Gleaton: For Dr. Nesin: Recused Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: A patient complains that the physician did not have the right to say that there is no medical justification for the dose of her medication. The physician responded that he had very limited interaction with the patient's care when he was asked to review her case by the primary care provider and do a short refill of her medication to last her the weekend. Review of the records revealed that the patient received reasonable care.

32. CR24-181

Dr. Ng moved to investigate further, issue a letter of guidance and provide an article to the physician. Mr. Sahrbeck seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

33. CR24-182

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

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

MOTION: A thirty-year-old woman complained about the care she received from a board-certified emergency room physician at a one-time visit. Review of the records indicates that she was seen twice in the preceding two days in another emergency room for similar reasons including syncope, tachycardia, dizziness, and postprandial vomiting. Testing which was accomplished was essentially normal with mildly abnormal thyroid testing results. She was sent to this third emergency room after she likely had a seizure at night witnessed by her husband. The licensee did not have access to a neurologist and referred her for an outpatient workup. The patient was distraught and very unhappy with not getting more evaluation with specialists in the emergency room. However, the care was reasonable and appropriate. Her primary care provider's office was going to arrange follow-up testing.

34. CR24-187

Dr. Fay-LeBlanc moved to investigate further and request that the physician complete a communication course and report to the Board what he gained from completing the course. Ms. Weinstein seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

35. CR24-188

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

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

Dr. Gleaton: For Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: For Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

MOTION: A patient complains he waited at an urgent care facility for over an hour and received very little medical attention during that time for what he felt was a foreign body in his eye.

The patient was attended to by a care team member within ten minutes of his arrival on what was a very busy day. He was the last of five patients arriving within a one-hour period. A triage assessment was performed, medications were ordered by the licensee including topical anesthetics to assist with pain as well as if a procedure was necessary, plus additional medication to assist in assessing whether a foreign body was present. The licensee also apologized to the patient at one point that she had not yet evaluated him. The patient was soon advised he was next to be seen. When the licensee was ready to examine the patient less than an hour after his triage was completed, she was told the patient had already chosen to leave the facility without further treatment. Appropriate care was provided.

36. CR23-88

Dr. Fay-LeBlanc moved to accept the physician's permanent conversion to an emeritus license while under investigation effective January 3, 2025. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed 7 in favor, 1 abstained, and 1 recused. Dr. Nesin was recused from the matter and left the room.

Dr. Gleaton: For Dr. Nesin: Recused Mr. Ross: For Dr. Ng: For Dr. Fanjoy: For Mr. Sahrbeck: Abstain Dr. Fay-LeBlanc: For Ms. Weinstein: For

Mr. Flaherty: For

37. Intentionally left blank

V. Assessment and Direction

38. AD24-154

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.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
M. E1-1	T		

Mr. Flaherty: For

39. AD24-172

Dr. Fanjoy moved to close the matter with no further action. Mr. Ross seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
Mr. Flaherty:	For		

40. AD24-173

Dr. Fay-LeBlanc moved to issue a complaint (CR24-235) and direct the physician to undergo a §3286 psychiatric and substance misuse evaluation. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed 8 in favor, 1 recused. Ms. Weinstein was recused from the matter and left the room.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	Recused
Mr. Flaherty:	For		

41. Intentionally left blank

42. Intentionally left blank

43. Pending Adjudicatory Hearings and Informal Conferences Report

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

44. Consumer Assistance Specialist Feedback

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

VI. Informal Conference (none)

VII. Minutes for Approval

A. September 9, 2024

Mr. Sahrbeck moved to approve the minutes of the September 9th meeting. Mr. Flaherty seconded the motion.

A roll call vote was taken, and the motion passed 7 in favor, 2 abstained.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	Abstain	Dr. Ng:	Abstain
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

B. September 10, 2024

Dr. Fay-LeBlanc moved to approve the minutes of the September 10th meeting. Dr. Fanjoy seconded the motion.

A roll call vote was taken, and the motion passed 4 in favor, 5 abstained.

Dr. Gleaton:	Abstain	Dr. Nesin:	For
Mr. Ross:	Abstain	Dr. Ng:	Abstain
Dr. Fanjoy:	For	Mr. Sahrbeck:	Abstain
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: Abstain

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. Albert W. Adams, MD

The Board reviewed the monitoring report, and no action was taken. Dr. Nesin was recused from the matter and left the room.

2. Jordan A. Breau, PA

Mr. Ross moved to request that Mr. Breau provide his FPPE or a letter representing that he will not perform advanced diagnostic procedures independently, and to terminate the consent agreement upon receipt of the requested information and approval by the Chair or Secretary. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For

Mr. Flaherty: For

3. Ramon E. Cheleuitte, MD

The Board reviewed the monitoring report, and no action was taken. Dr. Gleaton and Dr. Nesin were recused from the matter. Dr. Gleaton's video was turned off and Dr. Nesin left the room.

4. David L. Conner, MD

The Board reviewed the monitoring report and directed staff to communicate to Dr. Conner that he needs to comply with recommendations from the controlled substance stewardship program (CSS). Dr. Nesin was recused from the matter and left the room.

5. Michael V. Delahunt, MD

The Board reviewed the monitoring report and directed staff to communicate to Dr. Delahunt that he needs to provide records to the controlled substance stewardship program (CSS) within fourteen days. Dr. Nesin was recused from the matter and left the room.

6. Dashiell Jordan, MD

The Board reviewed the monitoring report and discussed what is necessary from the treatment provider to activate Dr. Jordan's license. Dr. Nesin was recused from the matter and left the room.

7. Anthony Perrone, MD

The Board reviewed the monitoring report and discussed that the goal is to help Dr. Perrone maintain his administrative license.

IX. Adjudicatory Hearing (none)

X. Remarks of Chair

Dr. Gleaton informed the Board that she will be attending an FSMB Board of Directors meeting later this month.

A. CLEAR/IAMRA Meeting

Ms. Weinstein reported on her recent attendance at the CLEAR Educational Conference and IAMRA Symposium in Baltimore, MD. Topics discussed included Artificial Intelligence and the Physician Information Exchange (PIE).

XI. Executive Director's Monthly Report

Mr. Terranova reported that Tracy Morrison was selected for the Licensing Supervisor position effective October 14th.

Mr. Terranova discussed with the Board the schedule for the November and December meetings.

November 2024 Meeting

8:00 a.m. – 9:00 a.m. – emergent issues will be addressed

9:00 a.m. – 5:00 p.m. – continuation of the Adjudicatory Hearing regarding Dr. Reight

December 2024 Meeting

8:00 a.m. - 1:00 p.m. - regular business

1:00 p.m. – 5:00 p.m. – continuation of the Adjudicatory Hearing regarding Dr. Reight

Dr. Gleaton expressed her interest in serving another term on the FSMB Board of Directors and sought the Board's nomination.

Mr. Ross moved to nominate Dr. Gleaton. Dr. Ng seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
3.6 791.1	-		

Mr. Flaherty: For

A. Additional Licensing Pathways Guidance Draft Document

The draft document was provided to the Board for review. Mr. Terranova requested that Board members provide any comments to be submitted to him by the end of November.

B. Possible Resolve (Verbal Only)

Dr. Fay-LeBlanc moved to submit a resolve to the legislature to create a workgroup to discuss the feasibility of merging the Board of Licensure in Medicine and the Board of Osteopathic Licensure, contingent upon agreement of the Board of Osteopathic Licensure. Dr. Gleaton seconded the motion.

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

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Ms. Weinstein:	For
Mr. Flaherty:	For		

C. PA Compact

Mr. Terranova shared information regarding the PA Licensure Compact's Inaugural meeting. Mr. Terranova was elected to serve as Chair of the Executive Committee.

D. Right to Know Committee

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

E. November 2025 Board Meeting Date

The second Tuesday in November of 2025, which is the Board's normal monthly meeting day, is Veterans Day. Following discussion, the Board determined it will hold the November 2025 meeting on Monday, November 10th.

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

AAG Miller updated the Board on the status of pending litigation.

- 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 2:33 p.m.

At 2:33 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 Dr. Nesin: For Mr. Ross: For Dr. Ng: For Dr. Fanjoy: Mr. Sahrbeck: For For Dr. Fay-LeBlanc: Ms. Weinstein: For For

Mr. Flaherty: For

Respectfully submitted,

Maureen S. Lathrop

Administrative Assistant



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

Maroulla S. Gleaton, MD

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 a Board member to participate remotely for the October 8, 2024, meeting of the Board pursuant to Section 2(F) of that policy.

Members of the public may attend this meeting in-person at the Board's Offices at 161 Capitol St, Augusta, Maine. The Board will also continue to provide members of the public with a meaningful opportunity to attend the meeting remotely via Zoom. Please post this approval to the Board website and update the agenda to include the Zoom information as soon as possible.

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