

Board of Licensure in Medicine
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September 9, 2024

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**Maine Board of Licensure in Medicine
Minutes of September 9, 2024
1:02 p.m. – 5:25 p.m.**

Board Members Present: Chair Maroulla S. Gleaton, M.D.; Holly Fanjoy, M.D. (excused at 5:23 p.m.); Renee M. Fay-LeBlanc, M.D.; David Flaherty, P.A.; Public Member Gregory Jamison, RPh (not present 5:05 p.m. – 5:06 p.m. due to technical difficulties); Noah Nesin, M.D.; Public Member Jonathan Sahrbeck; Brad Waddell, M.D. (excused at 5:05 p.m.); and Public Member Lynne M. Weinstein

Board Members Absent: Secretary Christopher R. Ross, P.A. and Anthony T. Ng, M.D.

Board Staff Present: Executive Director Timothy E. Terranova; Assistant Executive Director Valerie Hunt; Medical Director Paul N. Smith, M.D.; 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

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on November 14, 2023, the Board Chair directed that the September 9, 2024, meeting of the Board be conducted through remote participation of all Board members pursuant to Section 2(F) of that policy. The Board posted notices of this virtual meeting on its website and on the Legislative calendar. In addition, the Board posted a copy of the agenda for the meeting on its website.

Votes were conducted by roll call with members voting “for” “against” or “abstain.”

EXECUTIVE SESSIONS

PURPOSE

None

RECESSES

2:20 p.m. – 2:30 p.m.

Recess due to technical difficulties

4:13 p.m. – 4:25 p.m.

Recess

I. Call to Order

Dr. Gleaton called the meeting to order at 1:02 p.m.

A. Amendments to Agenda

Ms. Weinstein moved to amend complaint CR24-170 off the agenda. Dr. Waddell 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

B. Scheduled Agenda Items (none)

II. Licensing

A. Applications for Individual Consideration

- 1. Initial Applications (none)**
- 2. Reinstatement Applications (none)**
- 3. Renewal Applications (none)**
- 4. Requests to Convert to Active Status (none)**
- 5. Requests to Withdraw License/License Application (none)**
- 6. Requests for Collaborative/Practice Agreements**

a. Madison June Nutter, P.A.

Dr. Fay-LeBlanc moved to approve Ms. Nutter's practice agreement. Mr. Flaherty 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. Flaherty: For

Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

b. James O. Williams, P.A.

Dr. Fanjoy moved to approve Mr. Williams' practice agreement. Mr. Flaherty 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

B. Other Items for Discussion (none)

C. Citations and Administrative Fines

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

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. Amanda E. Buzzell, P.A.

Dr. Fanjoy moved to approve the third amendment to consent agreement. Dr. Nesin seconded the motion.

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

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Flaherty:	For
Mr. Jamison:	For
Dr. Nesin:	For
Mr. Sahrbeck:	Abstained
Dr. Waddell:	For
Ms. Weinstein:	For

B. Charles D. Clemetson, M.D.

Dr. Nesin moved to approve the consent agreement. Dr. Fay-LeBlanc 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. Flaherty:	For
Mr. Jamison:	For
Dr. Nesin:	For
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

IV. Complaints

1. CR23-53

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

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

Dr. Gleaton:	For
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Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

2. CR23-211

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

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

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

MOTION: The licensee resigned his hospital privileges while the hospital was investigating an interaction with a nurse practitioner. The Board reviewed this case in May 2024 and voted to ask the licensee to take a course on communication. The Board received his response which was well articulated and impressive.

3. CR23-239

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

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient presented to the emergency department for symptoms of epigastric and chest pain and was discharged by the licensee with a diagnosis of peptic ulcer disease. The patient had just had a negative cardiac workup in the emergency department two days prior for similar symptoms. The patient returned later that night in cardiac arrest from an acute myocardial infarction and was successfully resuscitated and underwent coronary artery stenting. The case resulted in a malpractice settlement. The Board ordered an expert review of the case which indicated that the licensee's treatment was not within standard of care due to failure to obtain cardiac enzymes. The licensee's response is appropriate and indicates that he felt the patient's symptoms were gastrointestinal and his documentation reflected that he had reviewed the recent negative cardiac workup and plan for expedited outpatient stress testing.

4. CR23-260

Dr. Gleaton moved to investigate further and issue a letter of guidance. Dr. Nesin seconded the motion.

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

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

5. CR23-275

Dr. Fanjoy 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 8 in favor, 1 recused.

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

6. CR24-9

Dr. Fanjoy 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
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant is the wife of a patient who alleges the licensee was rude and uncaring. The patient had multiple comorbidities and chronic issues that factored into his acute appointment for back pain. The wife reported that the licensee was unprofessional regarding comments made about his condition and some inappropriate humor as well as speaking with a raised voice. The licensee admits that this was a difficult patient encounter and illustrates frustration with his current condition and safety in his home environment. The licensee seems to have been challenged by a not-unusual situation where a patient would benefit from long term care. The response reflects that the licensee has an opportunity for improvement in navigating these challenges with more appropriate patient interactions and empathetic care. The Board requested that the licensee take a CME course on communication and professionalism. The licensee took the PACE clinician-patient communication course and provided an appropriate response regarding what she learned and her commitment to improved communication.

7. CR24-22

Mr. Jamison moved to investigate further and request that the physician attend a communication course and report to the Board what he gained from the course. 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For

Dr. Waddell: For
Ms. Weinstein: For

8. CR24-38

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: Recused
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant saw the licensee once for consultation regarding chronic pain. The complainant asserts that the licensee was dismissive, inappropriate and was demeaning and insulting by recommending the use of an app. The licensee's response is thorough and thoughtful and medical records indicate appropriate and compassionate care. The response also includes a description of the licensee's approach to prescribing a patient's current pain medication which requires clarification. The Board submitted follow-up questions to the licensee and the licensee's responses are reassuring and help to clarify the initial response.

9. CR24-60

Dr. Fay-LeBlanc moved to investigate further and issue a letter of guidance. 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

10. CR24-64

Dr. Waddell 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. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

11. CR24-91

Dr. Fanjoy moved to investigate further and offer the physician assistant a consent agreement requiring inpatient treatment and compliance with the discharge plan; a minimum seven-year enrollment and monitoring with the MPHP; a Board-approved treatment provider whose specialty is psychiatry or addiction medicine; and to grant renewal of the licensee's license in inactive status upon execution of the consent agreement. 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

12. CR24-97 Yussr M. Ibrahim, M.D.

Dr. Nesin moved to dismiss the complaint with a letter of guidance. Mr. Flaherty 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient complained that the physician’s office staff was unprofessional and violated HIPAA privacy standards by asking questions and discussing matters in the waiting area, there was a delay between the physician’s assessment and treatment procedure, and after filing a concern with the practice about these matters a follow-up appointment with the physician was switched to a different provider with no explanation. The physician responded that he was unaware of the patient’s concerns until the complaint was filed and explained the office management of the patient’s appointments.

The guidance is as follows: It is the clinician’s responsibility to assure that all protected personal health information is obtained in a manner that assures patient privacy. It is prudent to offer clear explanations for the reason an appointment time or provider is being changed.

13. CR24-101

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. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant asserts that the licensee regularly was late filling a controlled substance prescription and did not attend to the complainant’s needs during office visits.

The licensee responds that refills were in compliance with the practice’s 48-hour time period after a request comes in, that he is new to the practice and inherited a large panel of patients on controlled substances and that his interest was in proper evaluation of the

underlying condition for which the controlled substance was prescribed and proper monitoring of the prescription. The licensee asserts that his care during office visits was appropriate and medical records support that assertion.

Review of the PMP indicates that the initial prescription written by the licensee had been declined by another provider in the practice, which led to some delay, and was seven days late based on when the last prescription was picked up. The second prescription written by the licensee was two days late, the third was written six days early and the last one was one day late based on the excess medication the complainant would have had from the prior prescription. Most of the prescriptions were for thirty-day supply, which also leads to confusion in refills. The licensee appears to have converted to 28-day supplies. With the particular controlled substance in this case withdrawal is not a significant concern, though loss of therapeutic effect would be a concern.

14. CR24-117

Dr. Nesin 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.

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

15. CR24-103

Dr. Fay-LeBlanc moved to investigate further and request that the physician respond to questions from the Board. 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For

Dr. Waddell: For
Ms. Weinstein: For

16. CR24-105 Andrew B. Russ, M.D.

Dr. Nesin 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.

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient complained that the physician attempted to engage in a discussion with her despite being told that she was unwilling to see him for that purpose. The physician responded and explained his decision to attempt to have a conversation with the patient.

The guidance is as follows: A patient's declination of care should be honored. Clinicians should place importance on understanding and practicing trauma-informed care.

17. CR24-107

Dr. Fanjoy moved to investigate further and issue a letter of guidance. Dr. Fay-LeBlanc 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

18. CR24-108

Ms. Weinstein moved to investigate further and obtain an outside expert review. Mr. Flaherty 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

19. CR24-116

Ms. Weinstein moved to dismiss the complaint. Dr. Nesin 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient complains the licensee failed to renew her medication prescription after she was assigned to another provider in the practice suited for this type of medication management for her mental health needs. An appointment was scheduled, and they developed a prescription medication plan.

The physician named in the complaint continued to treat the patient's primary care medical needs however felt the transfer of care to this other licensee for medication management conducive to the patient's needs was appropriate. The physician explained to the patient that prescribing the medication she had been taking with a combination of other medications was no longer the standard of care and the associated risks. He also mentions there are alternative methods of treatment that he would be happy to explore if she was interested.

The physician additionally spoke with the social worker team at the practice to try to facilitate assistance with transportation for the patient as this added to her anxiety.

Appropriate, compassionate care has been provided.

20. CR24-121

Dr. Waddell 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. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant (daughter of the deceased patient) alleges that the licensee did not properly manage her father's lung cancer resulting in unnecessary suffering and, ultimately, her father's death. Review of the medical records and the detailed response from the licensee confirms that this patient had an aggressive (ultimately fatal) malignancy, but he did, in fact, receive competent, thoughtful and timely care from the licensee.

21. CR24-129

Dr. Waddell 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: Recused
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The patient complains that the licensee did not respond to his concerns in a timely manner which led to a delay in diagnosis and management of a retinal tear.

The licensee acknowledges the patient concerns and has embraced this event as an opportunity for improvement in his practice. In his response, the licensee articulates the cause of the communication breakdown in his practice and outlines the steps that have already been taken to minimize the risk of an event like this happening again in the future.

22. CR24-131

Dr. Fay-LeBlanc 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: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: Recused
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient complains that the licensee would not continue his medication regimen and that by documenting the regimen was dangerous in the chart, no other providers would prescribe the medication. The patient suffered a terrible accident and suffers from chronic pain. He had been on a stable dose of medication for three years prior to meeting this new provider. The provider responds that the medication regimen was dangerous (>120mmEqu a day if taken as prescribed). The records indicate that the licensee was trying to work with the patient to determine a compassionate taper. PMP report shows that the complainant was being tapered (by another provider) until recently increased at the recommendation of palliative care. The patient is getting medical care and appears more open to other modalities now as well (based on records reviewed). This is a very difficult and complex case, and the provider acted appropriately.

23. CR24-133

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. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For

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

MOTION: The complainant’s physician retired after a long career. The complainant was on a chronic controlled substance and asserts that the licensee began tapering that medication without seeing the complainant or discussing it.

The licensee responds that he is a leader in a practice that absorbed a large number of patients on chronic controlled substances after the departure of six providers in the community, that the practice communicated with two letters to each of these patients (including the complainant) that these prescriptions would be reevaluated and encouraging them to make appointments for discussion, that he did, indeed, begin a taper and scheduled an appointment for this patient after reviewing the patient’s record and well after the first of the letters was sent, and that provider shortages and access challenges made scheduling with any specific provider difficult.

The circumstances for access to care in this practice and community are challenging and the transfer of long-standing patients on chronic controlled substances compounds that challenge. The licensee has undertaken a reasonable approach.

24. CR24-135

Mr. Sahrbeck moved to dismiss the complaint. 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complainant feels that the licensee was unprofessional in not responding to a record request and prescribing medication. The complainant also believes that the licensee failed in providing care regarding medical issues and a promise of transportation. The licensee denies ever promising any types of transportation and provided the medical records per the policy of the provider. As far as the care provided to the complainant, the licensee believes that there was a thorough examination of the complainant in November 2023 and February 2024. Nothing in the

records indicates that the licensee acted in an inappropriate or unprofessional manner. Given that, dismissal is appropriate.

25. CR24-175

Mr. Sahrbeck 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. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint is from a patient who believes the licensee did not provide the complainant's medical records. The information in the file show that the records were provided and that there was no unprofessional behavior by the licensee. Given that, dismissal of the complaint is appropriate.

26. CR24-137

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
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient complained about the care he received by his treating emergency room physician when he was seen for a one-time visit seeking pain control for a shoulder injury. The record reveals reasonable appropriate evaluation and care. Extensive wait times in emergency rooms is unfortunate but the norm these days; and he had appropriate care in the waiting period. It should be noted that the record reveals that the patient exhibited verbally abusive behavior towards his caregivers.

27. CR24-138

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. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: A patient complained about the care he received from an emergency room physician at a one-time visit. The patient presented with abdominal pain, nausea and chest pain. Thorough evaluation including labs and CT of the abdomen and pelvis were unremarkable/normal, so the patient was discharged with the recommendation to use Tylenol. The records reveal appropriate care and there is no evidence that any patient rights were violated despite the patient's allegations.

28. CR24-170 (amended off agenda)

29. Intentionally left blank

30. Intentionally left blank

V. Assessment and Direction

31. AD24-2

Dr. Fanjoy moved to issue a complaint (**CR24-217**), obtain ten charts for review, and request that the physician explain any changes to his practice due to the medical malpractice settlement. Dr. Fay-LeBlanc 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For

Dr. Waddell: For
Ms. Weinstein: For

32. AD24-57

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

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

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

33. AD24-67

Dr. Waddell 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. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

34. AD24-164

Dr. Nesin moved to issue a complaint (**CR24-218**). Dr. Fay-LeBlanc 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. Flaherty: For
Mr. Jamison: For
Dr. Nesin: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

35. Intentionally left blank

36. Pending Adjudicatory Hearings and Informal Conferences Report

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

37. 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. August 12, 2024

Ms. Weinstein moved to approve the minutes of the August 12th meeting. Dr. Fanjoy seconded the motion.

A roll call vote was taken, and the motion passed 6 in favor, 3 abstained.

Dr. Gleaton: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: Abstained
Mr. Flaherty: For
Mr. Jamison: Abstained
Dr. Nesin: For
Mr. Sahrbeck: Abstained
Dr. Waddell: For
Ms. Weinstein: For

B. August 13, 2024

Ms. Weinstein moved to approve the minutes of the August 13th meeting. Dr. Fanjoy seconded the motion.

A roll call vote was taken, and the motion passed 6 in favor, 3 abstained.

Dr. Gleaton: Abstained

Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Flaherty:	Abstained
Mr. Jamison:	For
Dr. Nesin:	For
Mr. Sahrbeck:	Abstained
Dr. Waddell:	For
Ms. Weinstein:	For

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. Albert W. Adams, M.D.

The Board reviewed the monitoring report. No action was taken. Dr. Nesin was recused from the matter.

2. Cameron R. Bonney, M.D.

The Board reviewed the monitoring report. No action was taken.

3. Ramon E. Cheleuitte, M.D.

The Board reviewed the monitoring report and noted that the practice monitor is doing an amazing job. No action was taken. Dr. Gleaton and Dr. Nesin were recused from the matter.

4. Sean Kevin-Charles Closs, M.D.

Dr. Fay-LeBlanc moved to terminate Dr. Closs' consent agreement. 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. Flaherty:	For
Mr. Jamison:	For
Dr. Nesin:	For
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

5. David L. Conner, M.D.

The Board reviewed the monitoring report. No action was taken. Dr. Nesin was recused from the matter.

6. John L. Davis, M.D.

The Board reviewed the monitoring report. No action was taken.

7. Michael V. Delahunt, M.D.

The Board reviewed the monitoring report. No action was taken. Dr. Nesin was recused from the matter.

8. Dashiell Jordan, M.D.

Following review of the monitoring report, Dr. Fanjoy moved to approve the proposed psychiatrist and convert Dr. Jordan's license to active status upon receipt of a letter from the psychiatrist, approved by the Chair, confirming that Dr. Jordan can safely and competently return to practice. Mr. Flaherty seconded the motion.

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

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

9. Susan D. Paul, M.D.

Following review of the monitoring report, Dr. Fay-LeBlanc moved to offer Dr. Paul a consent agreement amendment imposing a reprimand and allowing her 30 days to come into full compliance with the terms of her consent agreement. Signature of the consent agreement amendment delegated to the Chair. Dr. Fanjoy seconded the motion.

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

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For

Mr. Flaherty:	For
Mr. Jamison:	For
Dr. Nesin:	Recused
Mr. Sahrbeck:	For
Dr. Waddell:	For
Ms. Weinstein:	For

10. Bernard H. Perlman, M.D.

Following review of the monitoring report, Dr. Fay-LeBlanc moved to approve the proposed entity to act as practice monitor with confirmation that Dr. Perlman's prescribing of controlled substances will be monitored, if he prescribes. Ms. Weinstein seconded the motion.

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

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

11. Scott F. Rusk, M.D.

The Board reviewed the monitoring report. No action was taken.

12. Byron A. Velandar, M.D.

Following review of the monitoring report, Mr. Sahrbeck moved to find Dr. Velandar in material noncompliance with the consent agreement and his license was suspended, effective immediately. Dr. Waddell seconded the motion.

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

Dr. Gleaton:	For
Dr. Fanjoy:	For
Dr. Fay-LeBlanc:	For
Mr. Flaherty:	For
Mr. Jamison:	Not present
Dr. Nesin:	Recused
Mr. Sahrbeck:	For
Dr. Waddell:	For

Ms. Weinstein: For

IX. Adjudicatory Hearing (none)

X. Remarks of Chair (none)

XI. Executive Director's Monthly Report

The Board reviewed Mr. Terranova's written report.

A. IV Hydration Therapy Workgroup

The Board reviewed information regarding the IV Hydration Therapy Workgroup meeting and guidelines from other states. The Board directed staff to draft guidelines based on the State of Rhode Island's guidelines.

B. Possible Legislation

Mr. Terranova provided a report regarding possible legislation related to the PA Compact.

C. Board of Optometry Rulemaking Comments (FYI)

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

XII. Assistant Executive Director's Report (none)

XIII. Medical Director's Report (none)

XIV. Remarks of Assistant Attorney General

AAG Miller gave an update 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 5:25 p.m.

At 5:25 p.m. Mr. Sahrbeck 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. Fanjoy:	Not present
Dr. Fay-LeBlanc:	For
Mr. Flaherty:	For
Mr. Jamison:	For
Dr. Nesin:	For
Mr. Sahrbeck:	For
Dr. Waddell:	Not present
Ms. Weinstein:	For

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 all Board members to participate remotely for the September 9, 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, Board of Licensure in Medicine

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