

Maine Board of Osteopathic Licensure
142 Sate House Station, 161 Capitol Street
Augusta, ME 04333-0142
Phone: (207) 287-2480/Fax: (207) 287-3015

Minutes of July 9, 2015 Board Meeting – 9:30 a.m. – 12:30 p.m.

Members Present: Joseph R. D. deKay, D.O., Board Chair; Natania Piper, D.O., Board Secretary; Gary Palman, D.O.; John F. Gaddis, D.O.; Melissa Michaud, PA-C; David Rydell, D.O.; Marty W. McIntyre, Public Member. Board Member Excused: Scott Thomas, D.O., Vice Chair.

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Julie Best, Consumer Outreach Specialist; Det. James Gioia, Office of the Attorney General; Judith H. Shedd, D.O.

I. Consent Agreement/Board Order Compliance Reviews

A. Paul Gosselin, D.O.

In the absence of Dr. Thomas, Case Reporter, the Board reviewed the licensee's response to questions raised as a result of the Board's review of multiple documents including his license renewal application. Following review of the response as well as the usual and customary compliance report, the Board took this action:

MOTION: Made by Dr. Gaddis to once again table any action on the renewal application pending additional investigation.

Both Ms. McIntyre and Dr. Rydell joined the meeting during the above review.

B. John Herzog, D.O.

In the absence of Dr. Thomas (Case Reporter) it was noted that the comprehensive evaluation (based on the exam ordered by the Board pursuant to the terms of the licensee's Consent Agreement) should be available for review at the August 2015 meeting. No Board action was necessary.

C. Bradley Libenson, D.O.

Dr. Palman, Case Reporter, noted no new concerns. No Board action was necessary.

II. Complaints & Investigations

Dr. Piper recited the Complaint Review Script. All complaint reviews are conducted in Public Session without the use of names, unless otherwise noted.

A. CR2014-34

Following review of the complaint, the Board took this action:

MOTION: Made by Dr. Palman, seconded by Dr. deKay to dismiss the complaint as it did not rise to a level which would warrant Board action. The motion failed with 3 members (Dr. Palman, Dr. deKay and Ms. Michaud) in favor and 3 opposed (Dr. Rydell, Dr. Piper and Dr. Gaddis). Ms. McIntyre, Case Reporter, did not vote.

After additional discussion, this motion was made:

MOTION: Made by Dr. Palman to table action on the matter until a meeting when all members of the Board are present for review, discussion and vote.

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B. CR2015-14

Following a thorough review of the complaint and the licensee's written response, the Board took this action:

MOTION: Made by Dr. Rydell, seconded by Dr. Gaddis and voted unanimously to dismiss the matter and issue a Letter of Guidance recommending that the licensee consider avoiding the use of abbreviations, noting that some individuals and entities in the medical field recommend that abbreviations not be utilized at all because they are easily misinterpreted and may lead to clinical error, and reminding the licensee that clear and professional communication between health care practitioners is extremely important in providing the best patient care. Ms. McIntyre, Case Reporter, did not vote.

C. CR2015-16

Following a thorough review of the complaint, response, medical records and rebuttal(s), the Board took this action:

MOTION: Made by Dr. Piper, seconded by Dr. Gaddis and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action. Dr. Rydell, Case Reporter, did not vote.

D. CR2015-21

Following a thorough review of the complaint, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to dismiss the complaint due to lack of cooperation from the complainant. Dr. Rydell, Case Reporter, did not vote.

At this time, because the licensee was in attendance, Dr. deKay changed the order of the agenda, moving ahead to Item 5.A

III. Licensure Matters

A. Judith H Shedd, D.O.

Following review and discussion, the Board took this action regarding Dr. Shedd's reinstatement application:

MOTION: Made by Ms. McIntyre, seconded by Dr. Piper and voted unanimously to preliminarily deny the licensee's renewal application based on unlicensed practice and failure to obtain the required CME and to offer the licensee a Consent Agreement in lieu of holding a hearing which will include a warning based on her unlicensed practice of medicine, authorizing staff to reinstate and issue the Maine license renewal upon receipt of the signed Consent Agreement and appropriate documentation confirming that the 100 hours of statutorily required Continuing Medical Education for November 1, 2012 through October 31, 2014 was completed.

IV. Minutes/Revenue & Expense Reports

A. Review of Draft June 11, 2015 Meeting Minutes

Following their review, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Piper and voted unanimously to accept the June 11, 2015 meeting minutes, as written.

B. Revenue & Expense Reports

The Executive Secretary noted that, due to the transfer from FY15 to FY16, financial reports were not yet available from the Service Center. It was also noted that every available bit of allotment left at the end of the 4th quarter (FY15) was used.

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V. Medical Professionals Health Program Annual Report

Board members reviewed and briefly discussed the report; it was noted that representatives from the MPHP will attend an upcoming meeting for their annual presentation and discussion with the Board.

III. Licensure Matters (continued from Page 2)

B. Permanent Licensure Applications (D.O.)

Following circulation and review, the Board took this action:

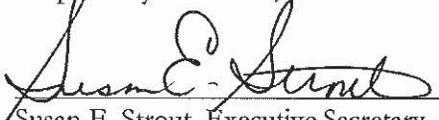
MOTION: Made by Ms. McIntyre, seconded by Dr. Rydell and voted unanimously to approve the permanent licensure applications submitted by: Scott Sample, D.O.; Sondra Holloway, D.O.; Joshua Garfein, D.O.; Katherine Ozarowski, D.O.; Kate Quinn, D.O.; Paige Shannon, D.O.; Stephen Nickl, D.O. and Nicole Geissen, D.O.

No Physician Assistant (PA-C) applications were ready for final review.

Ms. McIntyre noted that she will not be able to attend the August 2015 meeting.

There being no additional business, the meeting was adjourned at 12:30 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary