

Maine Board of Osteopathic Licensure 142
State House Station, 161 Capitol Street
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Minutes of January 12, 2017 Board Meeting – 9:30 a.m. – 12:30 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Angela Cole Westhoff, Executive Director, Maine Osteopathic Association.

I. Complaints & Investigations

Complaint reviews are conducted in Public Session without the use of names, unless otherwise noted. There being no members of the public in the meeting room, the Complaint Script was not recited.

At this time, the Board voted (Dr. Thomas and Dr. Gaddis) to go into Executive Session pursuant to 10 MRS §8003-B(2-A), which allows for discussion of patient records. Once again in Public Session, the Board voted to take the action noted below IN2015-33 which encompasses all of the six (6) cases regarding one licensee.

A. IN2013 39

Dr. Thomas, Case Reporter, provided an overview of this case. Please see the Board action just below IN2015-33 which encompasses this and the following five (5) cases.

B. CR2015 51

Dr. Thomas, Case Reporter, provided an overview of this case. Please see the Board action just below IN2015-33 which encompasses this case, the one above and the following four (4) cases.

C. CR2014 58

Dr. Thomas, Case Reporter, provided an overview of this case. Please see the Board action just below IN2015-33 which encompasses this case, the above two (2) and the following three (3).

D. IN2015 06

Dr. Thomas, Case Reporter, provided an overview of this case. Please see the Board action just below IN2015-33 which encompasses this case, the above three (3) and the following three (2).

E. CR2015 17

Dr. Thomas, Case Reporter, provided an overview of this case. Please see the Board action just below IN2015-33 which encompasses this case, the above four (4) and the following one (1).

F. IN2015 33

Dr. Thomas, Case Reporter, provided an overview of this case and, as noted, all of the above. Following the Board's review of all of the materials as well as the overview provided by Dr. Thomas, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to table any action on the six (6) cases noted above, pending review of a draft Consent Agreement, which will encompass concerns noted by Board members during the Executive Session. AAG Miller hopes to have the draft Agreement ready for review at the February 2017 meeting. The Case Reporter did not vote.

G. CR2016 20

Dr. Palman, Case Reporter, provided an overview of the complaint and following review and discussion, the Board took this action:

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

II. Consent Agreement/Board Order Compliance Reviews

A. Paul Gosselin, D.O.

Dr. Thomas, Case Reporter, noted no concerns with the reports received. No action was necessary.

B. Bradley Libenson, D.O.

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

III. Minutes/Revenue & Expense Reports

A. Review of November & December 2016 Meeting Minutes

Following review, the Board took these actions:

MOTION: Made by Dr. Thomas, seconded by Dr. Gaddis to approve the November 2016 meeting minutes.

MOTION: Made by Dr. Thomas, seconded by Dr. deKay to approve the December 2016 meeting minutes.

B. Revenue & Expense Reports

The Board reviewed and accepted the financial reports for December 2016. No Board action was necessary.

IV. Other Business

A. Federation of State Medical Boards

Board members reviewed and briefly discussed the Federations *Draft Guidelines for the Chronic Use of Opioid Analgesics*. No action was taken.

B. DHHS Emergency Rule regarding Changes re Controlled Substances

Board members reviewed and briefly discussed the Emergency Rule. No action was taken.

C. Chapter 21 – Draft Prescribing Rule (w/additional edits)

Board members reviewed the updated version of the rule and took these actions:

MOTION: Made by Dr. Thomas, seconded by Dr. Piper and voted to rescind the Board's December vote to proceed to adopt Joint Rule Chapter 21.

MOTION: Made by Dr. Piper, seconded by Dr. Thomas and voted unanimously to proceed to adopt Joint Rule Chapter 21, as amended and reviewed.

D. Review of Draft Opioid Prescribing CME Requirement Notice

Board members reviewed the draft notice and took this action:

MOTION: Made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to approve the draft notice with changes as discussed.

E. Legislation

1. LD13 – Required Reporting of Sexual Abuse by a Licensee

Board members discussed this proposed legislation and some questions that may be posed regarding the timing of reports, etc. and the damage that could be done to any professional, possibly in error.

F. Notice of MCCAP Conference re Medical Marijuana Use in Youth

Board members reviewed and discussed the conference which will be held on Saturday, March 4th at the Grand Summit Hotel at Sunday River. Dr. deKay noted that he would be participating in the panel discussion and invited other Board members to attend/participate as well. No other members would be able to attend but Ms. Michaud mentioned knowing of a physician who has a specific interest in that area; Dr. deKay offered to reach out to her.

G. Portland Press Herald Article re Perks for Prescribing

Board members reviewed and briefly discussed the article. No action was taken.

5. Licensure Matters

A. Permanent Licensure Applications

Following circulation and review of the applications, the Board took this action:

MOTION: Made by Dr. Piper, seconded by Ms. McIntyre and voted unanimously to approve the license applications submitted by: Patrick Hohl, D.O.; Cindy Williams, D.O.; Zane Craig, D.O.; David Lim, D.O.; David Reidman, D.O. and Nathan Rheault, D.O.

B. Physician Assistant Applications

There were no PA applications for review.

6. Adjournment

A motion to adjourn was made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously – 12:30 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary