

Maine Board of Osteopathic Licensure
142 State House Station
161 Capitol Street
Augusta, ME 04333-0142
Phone: (207) 287-2480/Fax: (207) 536-5811

Minutes of December 13, 2018 Board Meeting – 9:30 a.m. – 12:30 p.m.

Members Present: Scott Thomas, D.O., Board Chair; Melissa Michaud, PA-C, Vice Chair; Brian Gillis, D.O.; Ryan Smith, D.O.; John Brewer, D.O.; John Gaddis, D.O., Board Secretary; Marty McIntyre, Public Member; James Pisini, D.O. Member Excused: Melissa Michaud, PA-C, Vice Chair.

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Det. James Gioia, Office of the Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Molly Gilligan, Esquire; Amanda Richards, Director of Operations, Maine Osteopathic Association; Pamela Wansker, D.O.; Emily Bloch, Esquire; Elizabeth Olivier, Esquire.

Dr. Thomas welcomed James V. Pisini, D.O. as the newest member of the Board. Dr. Pisini, a Board-Certified anesthesiologist, practices in southern Maine.

Dr. Thomas then recited the Complaint Script.

I. Complaints & Investigations

Complaint and investigative reviews are conducted in Public Session without the use of names, unless otherwise noted.

A. CR2018 22

Board members reviewed additional information received at their request and following discussion, took this action:

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

B. CR2018 23

Following review of the complaint, response, voluminous medical records and rebuttal, the Board took this action:

MOTION: Made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant action against the licensee and to include, with the dismissal letter, a copy of the AMA Code of Ethics regarding the use of chaperones. Dr. Gaddis, Case Reporter, did not vote.

C. CR2018 24

Following review of the complaint, response and medical records, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant action against the licensee. Dr. Smith, Case Reporter, did not vote.

D. CR2018 35

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

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

II. Informal Conference - CR2018 10

At this time, Dr. Thomas welcomed the licensee and legal counsel to the upcoming Informal Conference and as requested by the licensee and counsel, the Board voted (Ms. McIntyre, 2nd by Dr. Brewer) to go into Executive Session (pursuant to 32 MRS §2591-A (1)). Once again in Public Session, (Dr. Thomas, 2nd by Ms. McIntyre), the Board took this action:

MOTION: Made by Dr Gaddis, seconded by Dr. Gillis and voted unanimously to dismiss the complaint filed on the Board's own motion as appropriate actions have been taken to ensure that the error made which brought this matter to the Board's attention will not be repeated. The Case Reporter, Ms. Michaud, was not present for the meeting.

III. Consent Agreement/Board Decision & Order Compliance & Updates

A. Kevin Kenerson, DO

Dr. Gaddis, Case Reporter, noted no concerns but did bring up a letter from the licensee's attorney in which a request for termination was made. Following discussion, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to deny the request to amend or terminate the Consent Agreement.

IV. Minutes/Revenue & Expense Reports

A. October & November 2018 Meeting Minutes

These minutes were not yet finalized and ready for review.

B. Revenue & Expense Reports

Board members reviewed and accepted the October 2018 revenue and expense reports generated by DAFS¹.

IV. Other Business

A. Draft Changes to Chapter 21 – Use of Controlled Substances for Tx of Pain

Following review of the final draft which had been reviewed previously, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to proceed to rule-making.

B. FSMB² Board of Directors Meeting Highlights

Board members reviewed the meeting highlights; no Board action was necessary.

V. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Dr. Thomas, seconded by Dr. Gillis and voted unanimously to approve the permanent licensure applications submitted by Karen Farris, D.O., Brian Lee, D.O., Althea Lindsay, D.O., Jonathan Peters, D.O., O'Neal Vaz, D.O.; Matthew Walvick, D.O. and Windy Wyatt, D.O.

¹ Division of Administrative & Financial Services

² Federation of State Medical Boards

B. Physician Assistant Applications

No PA applications were ready for review.

VI. Adjournment

A motion was made by Dr. Gillis, seconded by Ms. McIntyre and voted unanimously to adjourn the meeting at 12:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Susan E. Strout", is written over a horizontal line.

Susan E. Strout, Executive Secretary