

Maine Board of Osteopathic Licensure
142 State House Station
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Minutes of June 14, 2018 Board Meeting – 9:30 a.m. – 11:45 a.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Detective James Gioia, Office of the Attorney General; Michael Cunniff, Esquire; Michael Heniser, D.O.; Peter Michaud, Maine Medical Association.

I. Complaints & Investigations

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

Ms. McIntyre joined the meeting during the reading of the script. Dr. Smith joined the meeting during the discussion phase of CR2017 29.

A. CR2017 29

Following a thorough review of the licensees' response to the Board's complaint as well as other materials provided, the Board took this action:

MOTION: Made by Ms. McIntyre to set the matter for an adjudicatory hearing with an offer of a consent agreement for probation for one year, requiring continued mental health therapy with quarterly reports to the Board from the therapist, and a requirement that the licensee participate in sexual harassment training approved by the Case Reporter. Receiving no second, the Board then took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted to dismiss the complaint and issue a Letter of Guidance contingent upon receipt of a letter from the licensee representing that he will continue mental health treatment in accordance with the recommendations contained in evaluations, work on interpersonal relationships and patient care, complete sexual harassment training, and engage a mentor for future employment relationships. The licensee must also agree to heed any recommendations made by his therapist. Ms. McIntyre was opposed; Dr. Brewer, Case Reporter, did not vote.

B. CR2018 08

Following review and a lengthy discussion regarding the complaint, response and rebuttal, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Brewer and voted unanimously to table further review of this complaint pending further investigation. Dr. Gaddis, Case Reporter, did not vote.

C. CR2018 18

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

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to issue a complaint on the Board's own motion regarding alleged violations of Board Rule Chapter 16 (Prescribing & Treatment of Self & Family and to subpoena the billing records from the patient's insurer.

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

A. Kevin Kenerson, DO

Dr. Gaddis, having reviewed the requested records, noted no additional concerns at this time.

III. Minutes/Revenue & Expense Reports

A. April 2018 Meeting Minutes

Following their review of the minutes, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted unanimously to accept the April 2018 minutes as written.

B. Revenue & Expense Reports

The April 2018 reports, provided by DAFS¹, were reviewed and accepted.

IV. Miscellaneous

A. Letter of Clarification re: Joint Chapter 21 Questions

Board members briefly discussed the letter and were advised by AAG Miller that a workgroup meeting to review the draft Chapter 12 rule (Regarding Office Based Treatment of Opioid Use Disorder) is scheduled for June 25th and that in addition, the workgroup will review comments received regarding Chapter 21 (Use of Controlled Substances for Treatment of Pain). The Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted unanimously to refer the letter to the work group.

B. Review of SMHC² Physician Group Letter re Public Law Chapter 308

Board members reviewed a letter from a physician group at Southern Maine Healthcare regarding Public Law Chapter 308 (which addresses collaborative practice agreements between pharmacists and practitioners) and the fact that Collaborative Practice rules based upon that law have been only promulgated by the Boards of Pharmacy and Licensure in Medicine. AAG Miller explained the background to the rulemaking, and advised that the statutory language defines practitioner as 'an individual who is licensed, registered or otherwise authorized in the appropriate jurisdiction to prescribe and administer drugs in the course of professional practice' which includes osteopathic physicians, and that therefore there is no need for the Board of Osteopathic Licensure engage in rulemaking specific to this issue.

C. FSMB³ Board of Directors Meeting Highlights

Board members reviewed the highlights. No Board action was necessary.

D. MPHP⁴ 2017 Annual Report

Board members reviewed and briefly discussed the report. The Executive Secretary noted the MPHP has reached out regarding the annual presentation to the Board which will probably be scheduled in July or August.

V. Licensure Matters

A. Permanent Licensure Applications

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

¹ Division of Administrative & Financial Services

² Southern Maine HealthCare

³ Federation of State Medical Boards

⁴ Medical Professionals Health Program

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MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted unanimously to approve the permanent licensure applications submitted by Andrea Jergesen, D.O.; Hareesh Gadde, D.O.; Jeremy Wright, D.O.; Clifford Fields, D.O.; Amanda Roberts, D.O.; Michelle Geyer Thompson, D.O.; Linda Cuning, D.O.; Monica Thim, D.O.; Stephen D'Aquino, D.O.; Graeme McHenry, D.O.; Elise Fazio, D.O.; Jamie Collard, D.O.; Bradley Binsfeld, D.O.

This included Samantha Deming-Berr, D.O. upon receipt of her corrected medical school transcript (on which the school had made an error and re-did and mailed but not received in time for the meeting). The license can be issued upon receipt of correct material

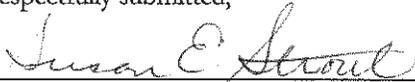
B. Physician Assistant Applications

There were no PA applications ready for review.

VI. Adjournment

A motion to adjourn was made by Dr. Gaddis, seconded by Dr. Brewer and voted unanimously to adjourn the meeting at 11:45 a.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary