

Maine Board of Osteopathic Licensure
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Minutes of November 8, 2018 Board Meeting – 9:30 a.m. – 2:30 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 Gaddis, D.O., Board Secretary; Marty McIntyre, Public Member. Member Excused: John Brewer, D.O.

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; Kelly Hoffman, Esquire; Amanda Richards, Director of Operations, Maine Osteopathic Association; Jennifer Rush, Esquire.

Dr. Thomas 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 08

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

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to invite the licensee and complainant to attend an Informal Conference at a future meeting. Dr. Gaddis, Case Reporter, did not vote.

B. CR2018 16

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. Dr. Smith, Case Reporter, did not vote.

C. CR2018 20

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

MOTION: Made by Dr. Gillis, 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. Ms. Michaud, Case Reporter, did not vote.

D. CR2018 26

Following a lengthy review of the complaint and the licensee's response as well as a discussion of all the information received to date, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted unanimously to dismiss the complaint with a Letter of Guidance which will remain in the licensee's file for a 5-year period. Ms. McIntyre, Case Reporter, did not vote.

Board members discussed sexual harassment training laws and suggested that the Maine Osteopathic Association consider a session on sexual harassment during one or both of their upcoming 2019 conferences.

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

A. Kevin Kenerson, DO

Dr. Gaddis, Case Reporter, noted no updated information. No Board action was necessary.

IV. Minutes/Revenue & Expense Reports

A. October 2018 Meeting Minutes

The October minutes were not yet ready for review.

B. Revenue & Expense Reports

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

IV. Other Business

A. Discussion re Physician Mental Health/Suicide Prevention – Dr. Smith

Dr. Smith provided an overview of the information provided in the meeting materials, noting that this is a national problem with 400+ physicians having taken their lives in the last year. Board members discussed, at length, the importance of recognizing this issue and discussed potential revisions to the questions asked at the time of both initial and license renewal recognizing the need to be sensitive but also mindful of the Board's charge to protect the public. For discussion at a future meeting, the Executive Secretary was asked to provide copies of the application questions.

B. Discussion: Georgetown University Letter re: InforMed Mailings – AAG Miller

Attorney Miller noted having researched the issue and that she was unable to find that, at this time InforMed continues to include misleading statements regarding CME requirements for osteopathic physicians in the State of Maine. The Executive Secretary will respond to Georgetown. Board action was not necessary.

C. Discussion: Possible Changes to Chapter 2 – PA Rule

Board members reviewed and discussed changes proposed by the MD Board to the joint rule for physician assistants. Board members discussed a rule-making workgroup as has been done in the past and took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted unanimously to form a workgroup with representatives of the Board of Licensure in Medicine to work on the changes proposed for Chapter 2. Ms. Michaud volunteered to represent the Board in this effort.

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 Michael Duzan, D.O., Steven Louvet, D.O., Paul Segal, D.O., and Michael Welvaert, D.O.

B. Physician Assistant Applications

No PA applications were ready for review.

At this time, Dr. Thomas welcomed the licensee and legal counsel to Informal Conference and as requested by the licensee and counsel, the Board voted (Ms. McIntyre, 2nd by Dr. Thomas) to go into Executive Session

¹ Division of Administrative & Financial Services

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(pursuant to 32 MRS §2591-A (1)). Once again in Public Session, (Ms. McIntyre, 2nd by Ms. Michaud), the Board took this action:

VI. Informal Conference – CR2018 10

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

Adjournment

A motion was made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to adjourn the meeting at 2:30 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary