Maine Board of Osteopathic Licensure  
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Minutes of February 14, 2019 Board Meeting – 9:30 a.m. – 1:45 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Det. James Gioia, Office of the Attorney General; Emily Bloch, Esquire; Kelly Hoffman, Esquire; Abigail Varga, Esquire; James Spizuoco, Esquire; Amanda Richards, Maine Osteopathic Association.

Dr. Thomas was not yet present; Ms. Michaud 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 34
Following review of the complaint, response, medical records and rebuttal, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gaddis and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant further Board action. Dr. Brewer, Case Reporter, abstained from voting.

B. CR2018 37
Following review of the complaint, response, medical records and rebuttal, the Board took this action:

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 further Board action. Dr. Pisini, Case Reporter, abstained from voting.

At this time, the Board took agenda items out of order, voting (Ms. Michaud, Dr. Gaddis) to go into Executive Session to obtain consultation from counsel concerning the legal rights and duties of the Board and/or pending or contemplated litigation pursuant to 1 MRS §405 (6) (E). Once again in Public Session (Dr. Brewer, Dr. Gaddis), the Board took this action:

C. CR2017 25
Following an overview of the case by AAG Miller and review of correspondence from the licensee and his attorney regarding the Consent Agreement offered by the Board to resolve a pending matter, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted unanimously to authorize AAG Miller to negotiate a specified change to the draft Consent Agreement regarding the MPHPC but no other changes based on the Board's discussion. Ms. McIntyre, Case Reporter, was not at the meeting.

Dr. Thomas joined the meeting shortly after the start of the above matter and therefore participated in the review, discussion and vote.
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D. CR2018 15
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 further Board review. Ms. Michaud, Case Reporter, abstained from voting.

E. CR2017 17
Following review of the complaint, response, medical records other investigative materials gathered, the Board took this action:

**MOTION:** Made by Ms. Michaud & seconded by Dr. Brewer to dismiss pending the receipt of specific information. Dr. Gaddis was out of the room. Dr. Thomas, Case Reporter, abstained from voting.

F. CR2018 41
Following review of the complaint, response, medical records and rebuttal, the Board took this action:

**MOTION:** Made by Ms. Michaud, seconded by Dr. Gaddis and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant further Board action.

G. CR2018 32
Following review of the complaint, response, medical records and rebuttal, the Board took this action:

**MOTION:** Made by Ms. Michaud, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant further Board review. Dr. Brewer, Case Reporter, abstained from voting.

H. IN2018 29
Following review of the information received, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to close the investigation. Ms. Michaud, Case Reporter, abstained from voting.

I. IN2019 03
Following review of the information received, the Board took this action:

**MOTION:** Made by Dr. Brewer, seconded by Dr. Thomas and voted unanimously to close the investigation. Ms. Michaud, Case Reporter, abstained from voting.

J. IN2019 04
Following review of the information received, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to close the investigation. Dr. Gaddis, Case Reporter, abstained from voting.

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

A. Kevin Kenerson, DO
Dr. Gaddis, Case Reporter, noted no new concerns. No Board action was necessary.
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III. Minutes/Revenue & Expense Reports

A. Review of January 2019 Meeting Minutes
Following review of the draft minutes, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Brewer and voted unanimously to approve the January 2019 minutes as written.

B. Revenue & Expense Reports
Board members reviewed and accepted the December 2018 revenue and expense reports generated by DAFS1.

IV. Informal Conference
The Informal Conference scheduled for the meeting was postponed.

V. Other Business

A. Review of Licensure Application Questions/ADA Compliance & Other Information
Following review, advice and discussion regarding questions on the Board’s initial and renewal applications, Board members asked that the Executive Secretary provide AAG Miller with all application questions in Word format for editing purposes. The edited versions of the applications will be brought back to the Board for review at a future meeting.

B. FSMB Matters

1. Final Call for Resolutions
Board members reviewed the material and information. No action was taken.

2. Continuity of Care in Limited Situations
Board members reviewed the material and information. No action was taken.

3. Social Media & E-Communications
Board members reviewed the information. No action was taken.

4. Annual Meeting – Fort Worth, TX
Board members again discussed attendance for the Annual Meeting which will be held in Fort Worth, TX. The Board then took this action:

MOTION: Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to send Dr. Gillis to the meeting as the Board’s voting delegate and the Executive Secretary as Board staff. All expenses for the voting delegate and the Board Executive are paid by the Federation.

C. NBOME2 Invitation to Visitation Day
Board members took note of the invitation. Of note, Ryan Smith, D.O. is an NBOME Department Chair.

D. Legislative Matters – For Discussion
Board members reviewed and discussed multiple legislative documents presented; no action necessary but most will be followed. Board members were also reminded of the process for presenting testimony both as a member of the public and members representing the Board.

VI. Licensure Matters

1 Division of Administrative & Financial Services
2 National Board of Osteopathic Medical Examiners
A. Permanent Licensure Applications
Following circulation and review, the Board took this action:


B. Physician Assistant Applications
No PA applications were presented for review.

VII. Adjournment
A motion was made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to adjourn the meeting at 1:45 p.m.

Respectfully submitted,

Susan E. Strout, Executive Secretary