

Maine Board of Osteopathic Licensure
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Minutes of May 9, 2019 Board Meeting – 10:30 a.m. – 2:15 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General; Michael Miller, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Det. James Gioia, Office of the Attorney General; Kathleen Healy, Esquire; Michael Cunniff, Esquire; Douglas Jorgensen, D.O.; Maureen McCrann Sturtevant, Esquire; Eric Uhl, Esquire; Greg Frame, Esquire; Mark Christopher; Victoria Christopher; Amanda Richards, Maine Osteopathic Association.

The Complaint Script was read by Dr. Thomas.

I. Complaints & Investigations

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

A. IN2018 03

Following review of the investigative materials gathered, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to dismiss the investigation. Dr. Brewer, Case Reporter, abstained.

B. CR2018 33

Following review of the licensee's response to the complaint filed by the Board on its own motion as well as investigative information gathered, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Smith and voted unanimously to invite the licensee to attend an Informal Conference due to the concerns brought to the Board's attention. Dr. Brewer, Case Reporter, abstained.

C. CR2019 08

Board members reviewed the licensee's request that they allow her to surrender her medical license while under investigation. Following consideration, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to approve the licensee's request to voluntarily surrender her license to practice. Dr. Gaddis, Case Reporter, abstained.

D. CR2017 19

Board members reviewed a Petition to Vacate Investigative Subpoena relative to the above noted complaint. Following review and legal advice (in Public Session), the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to deny the petition to vacate the subpoena issued regarding this complaint. Dr. Thomas, Case Reporter, abstained.

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

A. Kevin Kenerson, DO

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

IV. Minutes/Revenue & Expense Reports

A. Review of March 2019 Meeting Minutes

Following review of the draft March minutes, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to approve the March 2019 meeting minutes.

B. Revenue & Expense Reports

The March 2019 revenue and expense reports, generated by DAFS¹, were reviewed and accepted.

IV. Other Business

A. Legislative Matters

The Board reviewed several proposed legislative documents, a couple of which could affect its governing statute:

1. LD429 – An Act to Improve the Ability of Mental Health Professionals to Assess the Risk of Suicide

The Board reviewed a letter from the Committee on Health Coverage, Insurance & Financial Services, noting that the Committee voted ‘Ought Not to Pass’ but asked that the Board review its Continuing Medical Education (CME) rule and encouraged the Board to consider requiring CME regarding the subject of suicide prevention, suicide risk assessment and the treatment and management of suicidal person. No Board action was necessary at this time.

2. LD558 – An Act to Amend the CME Requirements for Prescribers of Opioid Medications

The Board reviewed a second letter from the Committee on Health Coverage, Insurance & Financial Services regarding LD558, also voted ‘Ought Not to Pass’. AAG Miller noted that a report is due to the Committee by January 15, 2020 concerning the results of the Board’s review of its continuing medical education rule related to opioid prescribing.

3. LD1580 – An Act to Protect Licensing Information of Medical Professionals

It was noted that the bill had not yet been reported out of Committee; the Public Hearing was held on May 1st, and the Work Session is not yet scheduled.

4. LD1660 – An Act to Improve Access to Physician Assistant Care

AAG Miller noted having provided a legal review of the bill, as drafted. Because the PA rule is joint with the Board of Licensure in Medicine, a joint letter of testimony was approved by both Commissioner Anne Head and the Office of Governor Janet Mills and submitted. The Work Session date was not yet scheduled.

5. Notice of Upcoming GEA² Review

Board members reviewed and briefly discussed the upcoming GEA ‘Sunset’ review, which will cover all aspects of the Board’s work, noting that the report is due on November 1, 2019.

¹ Division of Administrative & Financial Services

² Government Evaluation Act

B. Articles re New PA Rules & Regulations in Other States (WV, RI & ND) – Ms. Michaud

The Board briefly discussed the articles which Ms. Michaud presented which were along the same line as the subject of LD1660 as was discussed earlier. No action was taken.

C. FSMB Matters – Annual Meeting Information – Dr. Gillis

This was postponed until the June 2019 meeting as Dr. Gillis was unable to be at this meeting due to a previously scheduled conference.

D. Review of Chapter 10 Basis Statement

Following review, the Board took this action:

MOTION: Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to accept the draft basis statement as written and adopt the rule.

E. Review of Correspondence from ISHRS³

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

V. Licensure Matters

A. Permanent Licensure Applications

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to approve the licensure applications submitted by: Jacob Mintzer, D.O.; Lori Isenhower, D.O.; Rudolph Cartier, III, D.O.; Jarryd Rossignol, D.O. and Brandon Giberson, D.O.

B. Physician Assistant Applications

No PA applications were presented for review.

VI. Informal Conference – CR2018-07

Per 32 MRS 2591-A(1), the Informal Conference was held in Executive Session (motion by Ms. McIntyre, 2nd by Dr. Gaddis). Once again in Public Session, the Board took this action:

MOTION: Made by Dr. Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to continue the matter for further investigation, taking no action today. Dr. Smith, Case Reporter, abstained.

VII. Adjournment

A motion was made by Ms. Michaud, seconded by Dr. Thomas and voted unanimously to adjourn the meeting at 2:15 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary

³ International Society of Hair Restoration Surgery