

**Minutes of January 14, 2010 Board Meeting – 9: 30 a.m. – 3:50 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Lonnie Lauer, D.O., Board Secretary; Scott A. Thomas, D.O.; Marty McIntyre, Public Member; Joseph R. D. deKay, D.O. ; Kathy Walker, Public Member. Member Excused: Gary E. Palman, D.O.

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Christine Toulouse, PA-C; Jane Vanni, PA-C; Bonnie Sendzicki, DO; William Cote, Esquire; Stephen Curtin, D.O.; Charles Perakis, D.O.; Kenneth Lehman, Esquire; Mr. & Mrs. (Nancy) Pendleton

**I. Review of December 2009 Board Meeting Minutes**

The Executive Secretary noted that the minutes of the December 2009 were not yet completed but would be ready for review at the February 2010 meeting.

**II. Miscellaneous**

**A. Revenue & Expense Report**

Board members reviewed and accepted the report which will be kept on file. No action was necessary.

**B. FSMB Matters**

**1. BoardNet News**

Board members reviewed the most recent issues of BoardNet News. No action was necessary.

**2. 2010 Annual Meeting**

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

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to approve travel for David Rydell, D.O. as the Board's voting delegate at the Federation of State Medical Board's Annual Meeting in Chicago, IL and to approve travel for the Executive Secretary as well (or the Consumer Assistant if the Executive Secretary is unable to attend). Scholarships are provided for both, covering air travel, lodging and several meals as well as a waiver of the meeting registration fee.

**3. MD/DO Dual Degree Concerns**

Board members tabled further discussion of this matter until the February 2010 meeting.

**C. Holder & Grover Inquiry/Draft Response**

Following their review and a brief discussion, the Board voted to table further discussion of this matter until the February 2010 meeting and asked that a copy of the MD Board response be obtained for review at that time as well.

**D. MPHP Policy Update re: Missed Urine Tests & Failure to Call in to FirstLab**

Board members reviewed and noted the policy update. No Board action was necessary.

**E. MOA Annual Midwinter Conference Notice**

Board members noted the conference date and brochure provided by the MOA. No action was necessary.

**F. LD1608 – Message from Commissioner Anne Head**

Board members reviewed and briefly discussed the LD (which would create an Office of Administrative Law Judges) and the Executive Secretary noted that Comm. Head wanted the Board to know that she has/will continue to oppose this LD and will keep the Board's informed. The Executive Secretary will follow the LD as well.

**III. Interview for Registration – Christine Toulouse, PA-C**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to approve the applications submitted by Ms. Toulouse and Michael Palumbo, D.O.

Ms. Toulouse asked the Executive Secretary to forward another copy of the rules pertaining to physician assistants directly to her.

**IV. Interview for Registration – Jane Vanni, PA-C**

Following the interview, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the applications submitted by Ms. Vanni and Russell Florenz, D.O.

At this time, the Board voted (motion by Dr. deKay, 2<sup>nd</sup> by Dr. Thomas), at the request of the licensee, to go into Executive Session based on 32 MRS §2591-A (1). Once again in Public Session:

**V. Informal Conference – Charles Perakis, D.O. – INV09-03**

The licensee will provide the Board with copies of all testing reports and communication with the Maine Medical Professionals Health Program as well as releases allowing the Board to speak with/obtain records from treatment providers. AAG Carney and Dr. deKay (Case Reporter) will discuss/work with Margaret Palmer, PhD (MMA MMPHP) and Ann Yung, M.D. to see how best to assist the licensee and will report back to the Board at the March 2010 meeting.

At this time, the Board voted (motion by Dr. Thomas, 2<sup>nd</sup> by Mrs. Walker), at the request of the licensee, to go into Executive Session based on 32 MRS §2591-A (1). Once again in Public Session, the Board took this action:

**VI. Informal Conference – Stephen Curtin, D.O. – CR09-14**

**MOTION:** Made by Dr. Rydell and seconded by Ms. McIntyre to issue a Letter of Warning based on a lack of information and thoroughness.

Following discussion, Dr. Rydell withdrew his motion and took this action:

**MOTION:** Made by Dr. Rydell, seconded by Ms. McIntyre and voted to dismiss the complaint but to issue a Letter of Guidance regarding lack of thoroughness and communication issues. Dr. Thomas was opposed to the motion.

At this time, Dr. Thomas recused himself from participation in the upcoming matter and left the meeting room. The Board then voted, (motion by Dr. deKay, 2<sup>nd</sup> by Dr. Lauer), at the request of the licensee, to go into Executive Session based on 32 MRS §2591-A (1). Once again in Public Session, the Board took this action:

**VII. Informal Conference – Bonnie Sendzicki, D.O. & William Cote, Esquire – CR09-21**

**MOTION:** Made by Dr. Lauer, seconded by Mrs. Walker and voted unanimously to dismiss the complaint (based on the Board's own motion) and take no further action. Dr. Rydell, Case Reporter, did not vote.

Dr. Thomas rejoined the meeting. Dr. Gaddis, who previously recused himself from participation in the following matter, left the meeting room. Dr. Rydell assumed Chairmanship of the meeting. The Board voted (motion by Dr. Thomas, seconded by Dr. deKay) to go into Executive Session based on 1 MRS §405(1)(F) and 10 MRS §8003-B(1). Once again in Public Session, the Board took this action:

**VIII. Informal Conference – Aaron Tragos, D.O. (represented by Kenneth Lehman, Esquire) – CR08-05**

Attorney Lehman noted that he was present on behalf of his client, Aaron Tragos, D.O. who no longer practices in Maine.

**MOTION:** Made by Dr. deKay and seconded by Dr. Lauer to accept the Consent Agreement as drafted. The motion failed.

Following discussion, the motion was amended as follows:

**MOTION TO AMEND:** Made by Dr. Lauer, accepted by Dr. deKay and voted unanimously to accept the Consent Agreement as signed but to have the licensee's attorney attempt to negotiate a higher reimbursement.

The Board will move on with the agenda and resume with this matter once contact has been made and a proposal is ready.

The amendment was handwritten into the document and initialed by AAG Carney and Attorney Lehman (as authorized by his client).

**IX. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern. No Board action was necessary.

**B. Cynthia Burnham, D.O.**

Dr. deKay, Case Reporter, noted no concerns. It was noted that the monthly report from the Medical Professionals Health Program had not yet been received. No Board action was necessary.

**C. Alfred Cichon, PA-C**

In the absence of Dr. Palman (Case Reporter), Board members reviewed and accepted the monthly report from Mr. Cichon's primary supervising physician, Alexander Brazalovich, D.O.

**D. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, was not present and no issues of concern were noted. It was noted that the monthly report from the Medical Professionals Health Program had not yet been received. No Board action was necessary.

**E. Bradley Libenson, D.O.**

Board members reviewed the investigative reports from Det. Lizanecz who visited the licensee's office recently (as allowed by the terms of his Consent Agreement with the Board). Following their review, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to notify the licensee of the Board's dissatisfaction with the changes he made to the acknowledgment form which had been approved and provided by the Board as well as with the lack of chaperone signatures and to let him know that another unannounced visit will be made in the future and acknowledgement forms and charts will need to be in order or action will be taken pursuant to the terms of his Agreement.

**F. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted no concerns regarding the licensee and again noted that licensee remains unemployed. It was noted that no reports were received. Board members voted to table further discussion and review until the February 2010 meeting.

**G. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no concerns in his review of the most recent profile from the Prescription Monitoring Program profile report (4/1/09 to the present). No Board action was necessary.

**H. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no practice concerns. The Board reviewed correspondence from Dr. Piper as well as from her monitoring physician, Regen Gallagher, D.O. and her proposed monitoring physician, Carl Flynn, M.D. The Board then took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted to approve the change in the licensee's Primary Care Physician to Carl Flynn, M.D. and to notify the licensee that the chart review requirement in her Consent Agreement has been fulfilled and chart review reports are no longer required. Action regarding monitoring is deferred pending an opinion from Margaret Palmer, PhD, Clinical Director of the Maine Medical Professionals Monitoring Program. Dr. Rydell, Case Reporter, did not vote.

**I. Craig Schiff, D.O.**

Dr. Thomas, Case Reporter, noted no concerns. Dr. Thomas further recommended that the Board waive the requirement that the licensee attend the ProBE course as the issues which caused the Board to require that appear to have been resolved. Following discussion, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to terminate the Consent Agreement, effective immediately. Dr. Thomas, Case Reporter, did not vote.

**J. Lawrence P. Strohmeier, D.O.**

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

**Continuation of Item VIII. Informal Conference – Aaron Tragos, D.O. (represented by Kenneth Lehman, Esquire) – CR08-05 (page 3)**

Attorney Lehman again noted his presence on behalf of his client, Aaron Tragos, D.O. who no longer practices in Maine. Following a report from Attorney Lehman regarding a new amount that the licensee could pay, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted to accept reimbursement in the amount of \$5000. Dr. Lauer was opposed to the motion. Ms. McIntyre, Case Reporter, did not vote.

**X. Complaint/Investigative Reviews/Updates & Compliance Issues**

All of the following complaints were discussed in Public Session without the use of names unless otherwise noted.

**A. CR09-18 – Goodman/Stuart – Request for Reconsideration of Letter of Guidance**

Board members voted to table review and discussion until the February 2010 meeting.

**B. CR09-25 – Kenney/Delcourt – Initial Review**

Following their review, Board members took this action:

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

**C. CR09-32 – Charbonneau/Seehagen – Initial Review**

Following their review, Board members took this action:

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

**D. INV09-10 – Good/AG Referral – Initial Review**

Following their review, Board members took this action:

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

**E. INV09-04 – Charles Sullivan, D.O. – Review of Draft Decision & Order**

Following their review, Board members took this action:

**MOTION:** Made by Dr. Rydell, seconded by Dr. deKay and voted unanimously to accept the decision and order as written with one amendment: change Item #8 to a date found to be appropriate for receipt of the DEEP program report (the licensee will participate in the DEEP program in February 2010)

**XI. Licensure Matters – Applications for Licensure/License Renewal**

**A. John C. Wang, D.O. – Locum Tenens Application**

Board members reviewed the application submitted by Dr. Wang for work at Cary Medical Center located in Caribou, Maine. Following the Board's review of multiple letters of reference submitted on behalf of the applicant as well as other supporting documents, the Board took this action:

**MOTION:** Made by Dr. Rydell, seconded by Mrs. Walker and voted unanimously to approve the application submitted by Dr. Wang, effective immediately.

**B. Archie Green, D.O. – License Renewal Application**

Following review of the application, investigative information obtained by Detective Lizanecz and other information gathered, the Board took this action:

**MOTION:** Made by Dr. Rydell, seconded by Dr. Thomas and voted unanimously to issue the licensee's renewal and to offer him a 6-month extension of time to obtain the statutorily required Continuing Medical Education.

**C. David Lunianski, D.O. – Permanent License Application**

The Board was informed that the applicant's attorney had requested an extension of time (until February 26, 2010) for response to the Board's December letter. Board members voted to table any action until the March 2010 meeting.

**IX. Adjournment**

The Board meeting was adjourned at 3:50 p.m.

Respectfully submitted,

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Susan E. Strout, Executive Secretary

**Minutes of February 11, 2010 Board Meeting – 9: 30 a.m. – 1:00 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Marty McIntyre, Public Member; Joseph R. D. deKay, D.O.; Gary E. Palman, D.O.; Kathy Walker, Public Member. Members Excused: Lonnie Lauer, D.O., Board Secretary; Scott A. Thomas, D.O.

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Melissa Miller, PA-C; Michael Dore, PA-C

**I. Review of December 2009 & January 2010 Board Meeting Minutes**

Following their review, the Board took these actions:

- A. MOTION:** Made by Dr. deKay, seconded by Dr. Rydell and voted unanimously to accept the minutes of the December 2009 meeting, as written. Mrs. Walker and Dr. Palman, who were not present, did not vote.
- B. MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to accept the minutes of January 2010 meeting, as written. Dr. Palman, who was not present for the January meeting, did not vote.

**II. Miscellaneous**

**A. Revenue & Expense Report**

Board members reviewed and accepted the report which will be kept on file. No action was necessary.

**B. FSMB Matters**

**1. BoardNet News/Announcement of DC Office**

Board members reviewed the most recent issues of BoardNet News as well as the announcement of the new office. It was also noted that beginning February 5<sup>th</sup>, BoardNet News would be replaced with *FSMB eNews* which will be sent electronically each Tuesday and Friday. The Executive Secretary was asked to forward the *eNews* via e-mail in the future rather than including it in the book.

**2. Report of the Nominating Committee**

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

**3. MD/DO Dual Degree Concerns**

Board members reviewed and briefly discussed the concerns outlined by Dr. Humayun Chaudhry, D.O. No Board action was necessary.

**C. Maine Bar Journal Article “Kangaroo Courts?”/Update on LD1608**

Following a brief discussion regarding the journal article and LD1608, Board members asked that they be kept apprised of the status of LD1608 about which Commissioner Head would be introducing a resolve. The Executive Secretary noted that the Work Session on LD1608 would be held at 1 p.m. this date and that an update would be provided.

**D. Review/Discussion re: Draft Informed Consent Document (from MD Board)**

Board members reviewed and discussed the document and took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Rydell and voted unanimously to accept and endorse the document and to suggest that a similar document be introduced regarding implied consent.

**E. Holder & Grover Inquiry/Draft Response**

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

**MOTION:** Made by Mrs. Walker, seconded by Dr. Palman and voted to authorize AAG Carney to forward her response, as drafted on behalf of the Board, to Jon Holder, Esquire.

Dr. Rydell did not support the motion and following additional discussion, Mrs. Walker revised her motion as follows:

**REVISED MOTION:** Made by Mrs. Walker, accepted by Dr. Palman and voted unanimously to authorize AAG Carney to forward her response, as drafted on behalf of the Board, to Jon Holder, Esquire on Attorney General's Office letterhead.

**III. Interview for Registration – Michael Dore, PA-C (to work with Russell Florenz, DO)**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to approve the applications submitted by Mr. Dore and Russell Florenz, D.O.

It was noted that although Mr. Dore (and other PAs doing per diem work under the supervision of DOs) does not work full-time, his CME requirements are the same as for those PAs who work full-time with an osteopathic physician.

**IV. Interview for Registration – Melissa Miller, PA-C (to work with John Comis, DO)**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Ms. McIntyre and voted unanimously to approve the applications submitted by Ms. Miller and Dr. Comis.

In anticipation of the upcoming review, AAG Carrie Carney, Mrs. Walker and Dr. Palman left the meeting room as they would be unable to participate in the review and vote<sup>1</sup>. The Board then voted (motion by Dr. deKay, seconded by Dr. Palman), based on MRS §405(1)(F) and 24 MRS §2510 to go into Executive Session. Once again in Public Session, the Board took this action:

**V. Charles Sullivan, D.O. (INV09-04) – Review of George W. Dreher, MD Report/Decision & Order**

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Rydell and voted unanimously to accept the report from Dr. Dreher and to accept the Decision & Order as written.

**VI. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern. No Board action was necessary.

**B. Cynthia Burnham, D.O.**

Dr. deKay, Case Reporter, noted no practice concerns but reported that the licensee had tested positive for Tramadol and was therefore in violation of her Agreement with the Board as well as her contract with the Maine Medical Professional Health Program. Dr. deKay recommended that additional information be gathered for review at the March 2010 meeting. No Board action was necessary at this time.

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<sup>1</sup> Attorney Diane Khiel was unable to attend the meeting due to a scheduling conflict and AAG Carney was therefore not allowed to participate. Neither Mrs. Walker nor Dr. Palman participated in the original proceedings and were advised that they should not participate in any manner in this review and/or vote. Dr. Lauer, Case Reporter, was absent from the entire meeting.

**C. Alfred Cichon, PA-C**

Dr. Palman, Case Reporter, noted no practice concerns. The Executive Secretary pointed out that the report submitted by his Primary Supervising Physician, Alexander Brazalovich, D.O. listed the date of chart reviews (1/27/10) and that ‘...Knox and Penobscot Jails’ were discussed but did not state, as required, the location of the reviews. Board members asked that the Executive Secretary notify the licensee, with a copy to his Primary Supervising Physician, that this information must be provided for this report and all future reports.

**D. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**F. Inna (Bertuch) LaBelle, D.O.**

Dr. Palman, Case Reporter, noted that treatment for the licensee appears to be progressing well and that she continues her employment search. The Board reviewed a request from Norman Belanger, Esquire, on behalf of the licensee regarding whether or not changing who is responsible for the licensee’s urine drug screens would require an amendment to her Consent Agreement. Following discussion, the Board and AAG Carney agreed that changing primary responsibility for urine screening from the Maine Medical Professionals Health Program to the Talbot Recovery Campus would not require an amendment to her current Consent Agreement. It should be noted that the MPPH will continue to receive monthly reports.

**G. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted that he was not aware of any current practice concerns. No Board action was necessary.

**H. James Owens, D.O.**

In the absence of Dr. Lauer, Case Reporter, the Executive Secretary noted that, once again, no reports had been received. Additionally, the Board was informed that the licensee had not submitted a renewal application for the period ending January 31, 2010. Board members requested that the Executive Secretary contact Dr. Lauer and ask him to contact the licensee about the two (2) missing reports from Martin Finklestein, Psy.D. and to ask him about his renewal application. The Board will address the matter again at the March 2010 meeting. No Board action was necessary.

**G. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no current concerns. No Board action was necessary.

**H. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no practice concerns. The Board noted the absence, yet again, of the monthly report due from Travis Hussey, LCSW and took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted to assess a fine of \$100 due to the missing report from Travis Hussey, LCSW. Dr. Rydell, Case Reporter, did not vote.

**I. Lawrence P. Strohmeyer, D.O.**

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

**VII. Complaint/Investigative Reviews/Updates & Compliance Issues**

All of the following complaints were discussed in Public Session without the use of names unless otherwise noted.

**A. CR09-18 – Goodman/Stuart – Request for Reconsideration of Letter of Guidance**

Following review and discussion of the request for reconsideration, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to authorize AAG Carney re-write the Letter of Guidance based on the discussion, expanding on the guidance originally provided.



**B. INV09-09 – Kristzina L. Morin, D.O. – AG Referral – Initial Review**

Review of this matter was tabled until the March 2010 meeting.

**C. INV10-01 – Michelle Anderson, D.O. – Anonymous Complaint – Initial Review**

Following their review, Board members took this action:

**MOTION:** Made by Dr. Rydell, seconded by Ms. McIntyre and voted unanimously to subpoena 10 random anesthesia records (of obstetrics patients) from the past year for review by Dr. Palman who was asked to serve as Case Reporter. Dr. Palman, Case Reporter, did not vote.

Ms. McIntyre noted that she would not be able to attend the March 2010 meeting.

**VIII. Adjournment**

The Board meeting was adjourned at 1 p.m.

Respectfully submitted,

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Susan E. Strout, Executive Secretary

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**Minutes of March 11, 2010 Board Meeting – 9: 30 a.m. – 2:15 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Joseph R. D. deKay, D.O.; Gary E. Palman, D.O.; Kathy Walker, Public Member; Scott A. Thomas, D.O. ; Lonnie Lauer, D.O., Board Secretary  
Members Excused: Marty McIntyre, Public Member

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Meredith Moses, PA-C; Jo Ann Masar, Drug Enforcement Administration; Angela Westhoff, Executive Director, Maine Osteopathic Association; Lani Graham, MD, MPH, Medical Director (Medical Professionals Health Program – hereafter 'MPHP'); Mindy Armstrong, RN, MSN, CARN, Case Manager (MPHP); Cathryn Stratton, Administrative Director (MPHP); Gordon Smith, Esquire, Legal Counsel to MPHP

**I. Review of February 2010 Board Meeting Minutes**

Following their review, the Board took these actions:

- A. **MOTION:** Made by Mrs. Walker, seconded by Dr. deKay and voted unanimously to accept the minutes of the February 2010 meeting, with noted corrections as follows: Section IV, remove Dr. Palman's name from motion to go into Executive Session (he had already left the room) and add Dr. Rydell; note that AAG Carney, Dr. Palman and Mrs. Walker returned to the meeting following the vote; Section VI, Item I – remove reference to Dr. Lauer as he had not been present for the meeting.

**II. Miscellaneous**

**A. Revenue & Expense Report**

Board members reviewed and accepted the report which will be kept on file. No action was necessary.

**B. FSMB Matters**

No Board review/action was necessary.

**C. Hospice Network News**

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

**D. Review of Draft Letter re: Merger of Naturopathic & Osteopathic Boards in CA**

Board members reviewed the draft letter and approved it for signature by Dr. Gaddis. The Board asked that a copy be shared with the American Osteopathic Association, Maine Osteopathic Association and the California Osteopathic Association.

**III. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern. No Board action was necessary.

**B. Cynthia Burnham, D.O.**

Dr. deKay, Case Reporter, noted no concerns at this time. No Board action was necessary.

At this time, Dr. deKay made a motion to go into Executive Session, based on 10 MRS 8003; the motion was seconded by Dr. Thomas. Once again in Public Session, the Board took this action:

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**C. Alfred Cichon, PA-C**

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to invite the licensee to attend an Informal Conference at an upcoming meeting, with his Primary Supervising Physician invited but not required to attend. Dr. Palman, Case Reporter, did not vote.

At this time, the Board suspended its review of Consent Agreement Compliance Issues for the scheduled interview with Meredith Moses, PAC and to then meet with Jo Ann Masar of the Drug Enforcement Administration.

**IV. Interview for Registration – Meredith Moses, PAC**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. deKay and voted unanimously to approve the application submitted by Mr. Moses to work under the supervision of T. Kevin Finley, DO (previously approved to serve as a Primary Supervising Physician).

**V. DEA Diversion Investigator Jo Ann Masar**

Ms. Masar joined the meeting to discuss her work and the work she does with this Board and others. Following that discussion, the Board voted to go into Executive Session (Dr. deKay, 2<sup>nd</sup> by Dr. Palman) based on 1 MRS §405 (1)(F) and 10 MRS §8003-B (1) to discuss one specific case. Once again in Public Session, no action was taken.

**VI. Maine Medical Association Medical Professionals Health Program Annual Update**

Board members were introduced to the newest members of the clinical and administrative staff at the MPHP and received both a fiscal and program update. Attorney Smith circulated the MMA's latest newsletter.

At this time, the Board resumed its review of Consent Agreement Compliance Issues (Continuation of **Item III**)

**D. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**E. Inna (Bertuch) LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**F. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted that he was not aware of any current concerns. No Board action was necessary.

**G. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted that, once again, no reports had been received. The Board took no action.

**H. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no current concerns. No Board action was necessary.

**I. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no practice concerns. Board members reviewed a request for a reduction in urine monitoring from once weekly to twice monthly. Following discussion, the Board took this action:

**MOTION:** Made by Dr. Palman and seconded by Dr. deKay to approve the request and reduce urine testing to twice monthly with random hair analysis every other month.

The above motion was withdrawn and replaced by:

**MOTION:** Made by Dr. Palman, seconded by Mrs. Walker and voted unanimously to approve the request for a reduction in urine monitoring from once weekly to twice monthly.

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Due to the Executive Secretary's upcoming time out of the office, AAG Carney noted that she would notify Dr. Palmer of the approved change.

**J. Lawrence P. Strohmeyer, D.O.**

Dr. Lauer, Case Reporter, noted that two reports were now due and asked that the Executive Secretary remind him of the need to ensure that reports are submitted in a timely manner.

**VII. Complaint/Investigative Reviews/Updates & Compliance Issues**

All of the following complaints were discussed in Public Session without the use of names unless otherwise noted.

**A. CR09-30 – Leverett/Baer – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to dismiss the complaint as it did not merit Board action.

At this time, the Board suspended its review of complaints/investigations and moved to agenda Item 8.

**VIII. Applications for Licensure**

**1. David Lunianski, D.O. – Request to Withdraw Application**

Following review of the request submitted by the attorney representing the applicant, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to approve the request to withdraw the application for permanent licensure submitted by Dr. Lunianski.

At this time, the Board resumed its review of complaints/investigations (continuation of **Item VII.**)

**B. CR09-08 – Gosselin/McKenzie (re: McClure) – Additional Information**


Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to dismiss the complaint but to issue a Letter of Guidance addressing patient intake procedures (including coordination with the patient's other treatment providers and research to corroborate statements made and information provided by the patient) at the methadone clinic where the licensee was working or may be employed at in the future.

**IX. Adjournment**

The Board meeting was adjourned at 2:15 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure  
142 Sate House Station, 161 Capitol Street  
Augusta, ME 04333-0142  
Phone: (207) 287-2480/Fax: (207) 287-3015

**Minutes of April 8, 2010 Board Meeting – 9: 30 a.m. – 12:00 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Joseph R. D. deKay, D.O.; Gary E. Palman, D.O.; Kathy Walker, Public Member; Scott A. Thomas, D.O.; Lonnie Lauer, D.O., Board Secretary; Marty McIntyre, Public Member

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Angela Westhoff, Executive Director, Maine Osteopathic Association; Heather DeMars, PA-C

**I. Review of March 2010 Board Meeting Minutes**

The review was tabled until the May 13, 2010 meeting.

**II. Miscellaneous**

**A. Revenue & Expense Report**

This matter was tabled as the report was not yet available for download.

**B. FSMB Matters**

There was no material for review. E-News is forwarded to Board members upon receipt. Ms. McIntyre noted that since she receives the material directly from the FSMB, it need not be forwarded to her in the future.

**C. Hospice Network News**

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

**D. Official Votes on Adoption of Chapter 21 & Repeal of Chapter 11**

Board members reviewed the draft rule and response to comment and took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. Walker and voted unanimously to adopt Chapter 21 as written and to repeal Chapter 11.

Dr. deKay asked that once formally adopted, a copy be forwarded to the Maine Osteopathic Association.

**III. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern. No Board action was necessary.

**B. Cynthia Burnham, D.O.**

Dr. deKay, Case Reporter, noted no concerns at this time. No Board action was necessary.

**C. Alfred Cichon, PA-C**

Dr. Palman noted no current concerns and reminded the Board that the licensee had been invited to attend an Informal Conference which would be held at the next meeting on Thursday, May 13<sup>th</sup>. No Board action was necessary.

Ms. McIntyre joined the meeting at this time and the Board suspended its review of Consent Agreement Compliance Issues to hold the following interview.

**IV. Interview for Registration – Heather DeMars, PAC**

Following the interview, the Board took this action:

**Continued from Page 1 of 4 – April 8, 2010 Minutes of the Board of Osteopathic Licensure**

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to approve the application submitted by Ms. DeMars to work under the supervision of John F. Cornis, DO (previously approved to serve as a Primary Supervising Physician).

At this time, the Board resumed its review of Consent Agreement Compliance Issues (Continuation of Item III)

**D. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns except that the monthly report from Michael Palumbo, DO had not yet been received. Because the reports have always been submitted in a timely manner, the Board will wait until the May 2010 meeting.

**E. Inna (Bertuch) LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**F. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted that he was not aware of any current concerns. Det. Lizanecz reported that the NH Board is currently conducting an investigation regarding compliance. No Board action was necessary.

**G. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted that, once again, no reports had been received. The Executive Secretary was asked to mail the usual and customary notice of potential lapse to the licensee with warning of a letter, via Certified Mail, in 30 days if no response. At that time, the license will officially lapse. The Board also reviewed a letter from Daniel Merson, D.O., primary care provider, relating his concerns about the effect that the Consent Agreement has had on the licensee's ability to secure employment. Board members, having noted several opportunities which have been made available to the licensee, took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to send a letter to Dr. Merson inviting his thoughts and suggestions and inviting him to set up a meeting with the Board if he wishes to discuss the matter further. Dr. Lauer, Case Reporter, did not vote.

**H. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no current concerns. No Board action was necessary.

**I. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no practice concerns.

**J. Lawrence P. Strohmeier, D.O.**

Dr. Lauer, Case Reporter, noted that no report was received from Paul Perkins, M.D. Because the reports have always been submitted in a timely manner, the Executive Secretary will write the licensee reminding him of his obligation to ensure that all reports are submitted in a timely manner.

**V. Complaint/Investigative Reviews/Updates & Compliance Issues**

All of the following complaints were discussed in Public Session without the use of names unless otherwise noted.

**A. CR09-21 – Clark/Stevens – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not merit Board action.

**B. CR09-35 – Chase/Yarborough – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**Continued from Page 2 of 4 – April 8, 2010 Minutes of the Board of Osteopathic Licensure**

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to dismiss the complaint as it did not merit Board action.

**C. CR10-02 – Kazilionis/Beaulieu – Initial Review**

Following their review of the complaint, response and rebuttal, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not merit Board action.

**D. CR10-06 – Stockwell/Fairfield – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to dismiss the complaint as it did not merit Board action.

**E. CR10-09 – Hage/Smith – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as it did not merit Board action.

**F. CR10-10 – Hurley/Smith – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to dismiss the complaint as it did not merit Board action.

At this time, the Board voted (Motion by Dr. deKay, 2<sup>nd</sup> by Dr. Rydell) to go into Executive Session, for legal advice, based on 1 MRS §405 (6) (E). Once again in Public Session, the following action was taken:

**VI. Complaint Review Procedure – AAG Carney**

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to begin using a complaint review script<sup>1</sup> at each meeting, start placing the meeting agenda<sup>2</sup> on the Board's website and to begin placing a notice<sup>3</sup> with each complaint letter notifying licensees and complainants of their ability to monitor the Board website to learn when their complaint would be heard.

**VII. Applications for Permanent Licensure**

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

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to approve the applications submitted by the following upon receipt of favorable references: Kai DaCosta, DO; Peter Hulse, DO (for issue on May 3, 2010 upon receipt of reference from Baystate); William T. Merchant, DO and Kayla Scarponi, DO.

<sup>1</sup> Draft to be reviewed at the May 2010 meeting

<sup>2</sup> Public version – no names; noting that all meetings are open to the public

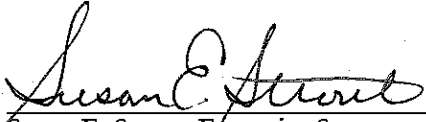
<sup>3</sup> Draft to be reviewed at the May 2010 meeting

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**VIII. Adjournment**

The Board meeting was adjourned at 12:00 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan E. Strout, Executive Secretary



Maine Board of Osteopathic Licensure  
142 Sate House Station, 161 Capitol Street  
Augusta, ME 04333-0142  
Phone: (207) 287-2480/Fax: (207) 287-3015

**Minutes of May 13, 2010 Board Meeting - 9: 30 a.m. - 2:45 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Gary E. Palman, D.O.; Kathy Walker, Public Member; Scott A. Thomas, D.O.; Lonnie Lauer, D.O., Board Secretary; Marty McIntyre, Public Member. Board Member Excused: Joseph R. D. deKay, D.O.

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Nelson Meaker, PAC; Carley Mejia, PAC; Scott Ellis, PAC; Alfred Cichon, PAC

**I. Review of March & April 2010 Board Meeting Minutes**

Following review, the Board took this action on the March 2010 minutes:

**MOTION:** Made by Mrs. Walker, seconded by Dr. Palman and voted unanimously to approve the minutes of the March 11, 2010 meeting as written.

**MOTION:** Made by Mrs. Walker, seconded by Dr. Palman and voted unanimously to approve the minutes of the April 8, 2010 meeting as written.

**II. Miscellaneous**

**A. Revenue & Expense Reports - Months of March & April 2010**

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to accept the revenue and expense reports for the months of March and April 2010.

It was noted that Dr. Thomas joined the meeting during the above discussion and participated in the vote. Following that discussion, Dr. Palman noted that many organizations now provide their meeting materials electronically. The Executive Secretary noted how beneficial it would be to go to this format for meeting material for many reasons. The Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. Thomas and voted unanimously to authorize the Executive Secretary to gather information/pricing, etc. for laptops, programming software, etc. to move forward with paperless meeting books.

**B. FSMB Matters**

Because Dr. Rydell was not yet present, this matter was tabled until later in the meeting.

**C. Hospice Network News**

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

**D. Draft Complaint Review Script/Notice to Licensees/Complainants - AAG Carney**

Board members reviewed the draft complaint review script as well as the notice to be sent to complainants and licensees and following discussion, took this action:

**MOTION:** Made by Dr. Palman, seconded by Mrs. Walker and voted unanimously to revisit the matter at the Board's June 10<sup>th</sup> meeting.

**III. Interview for Registration - Nelson Meaker, PAC**

Following the interview, the Board took this action:

**Continued from Page 1 of 5 – May 13, 2010 Minutes of the Board of Osteopathic Licensure**

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to grant final approval of the applications submitted by Mr. Meaker and his Primary Supervising Physician, John Patten, D.O. pending receipt of the signatures of all secondary supervising physicians.

Dr. Rydell joined the meeting during the above interview and participated in the vote.

**IV. Interviews for Registration – Carley Mejia, PAC & Scott Ellis, PAC**

Following the interviews (done together as both PAs work at the same facility under the supervision of the same licensee), the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to approve the applications submitted by Ms. Mejia and Mr. Ellis, resp., to work under the supervision of Peter Clark, D.O.

**V. Interview for Registration – Kara Crawford, PAC**

The Executive Secretary noted that Ms. Crawford's interview was postponed until a later meeting.

The following Informal Conference was held in Public Session.

**VI. Informal Conference – Alfred B. Cichon, PAC**

The Executive Secretary noted that the usual and customary waiver had been signed and having been given the option of having the Informal Conference in public or executive session, the licensee noted that having nothing to hide, he had no objection to holding the Conference in Public Session. Board members noted their dissatisfaction with the monthly reports from Alexander Brazalovich, D.O. (the licensee's Primary Supervising Physician). Board members reminded the licensee of the requirements in his Consent Agreement and that the report format provided by the Board included sections in which to provide all of the required information, including but not limited to, when/where the PA and his supervising physician met, etc. The licensee was thanked for coming in, the Informal Conference was adjourned and the licensee left the meeting. No action was taken at this time.

**Continuation of Item II.B.**

**B. FSMB Matters**

Dr. Rydell and Mr. Terranova provided the Board with a brief overview of the April 2010 Federation of State Medical Boards meeting which was held in Chicago, IL. Mr. Terranova presented a written report which will be kept on file at the Board office.

**VII. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern.

**B. Cynthia Burnham, D.O.**

In the absence of Dr. deKay, Case Reporter, no concerns were noted.

**C. Alfred Cichon, PA-C**

Dr. Palman noted no current concerns other than those that were addressed at the Informal Conference earlier. The Board discussed the report format and asked that 'dates and specific locations' be added to the form. Board members also discussed the licensee's application for renewal and took this action:

**MOTION:** Made by Dr. Thomas, seconded by Mrs. Walker and voted unanimously to accept the application for renewal of the registration. Dr. Palman, Case Reporter, did not vote.

**D. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**E. Inna (Bertuch) LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**F. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted that he was not aware of any current concerns.

**G. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted that once again, no reports had been received and that the licensee is currently lapsed and out of compliance with the terms of his Consent Agreement. Board members tabled any action on the matter pending receipt of the licensee's application for reinstatement. No Board action was necessary.

**H. Stanley Painter, D.O.**

In the absence of Dr. deKay, Case Reporter, no concerns were noted.

**I. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no practice concerns.

**J. Lawrence P. Strohmeyer, D.O.**

Dr. Lauer, Case Reporter, noted no concerns.

**VIII. Complaint/Investigative Reviews/Updates & Compliance Issues**

At this time, the Board again addressed the issue of the complaint review script and the following motion was made:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to suspend the reading of the script as no members of the public were present.

All of the following complaints were discussed in Public Session without the use of names unless otherwise noted.

**A. CR09-27 – Farrington/Payne – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as it did not merit Board action.

**B. CR09-28 – Grover/McInnis – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not merit Board action.

**C. CR09-29 & CR09-29A – Hothem/Kuhn – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Dr. Thomas and voted to dismiss the complaint as it did not merit Board action. Motion carried with Drs. Rydell and Palman opposed; Ms. McIntyre, Dr. Lauer, Dr. Thomas and Mrs. Walker in favor. Dr. Gaddis did not vote.

**D. CR09-31 – Landry/Henry – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as it did not merit Board action.

**E. CR09-31A – Jorgensen/Henry – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as it did not merit Board action.

**F. CR09-36 – Kazilionis/Lockwood – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Lauer and seconded by Dr. Thomas to dismiss the complaint as it did not merit Board action. After further discussion, that motion was withdrawn and the following motion was made:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Rydell and voted to dismiss the complaint and issue a Letter of Guidance reminding the licensee of the importance of both being polite and respectful to patients as well as communicating with integrity. Motion to dismiss with the Letter of Guidance carried with Dr. Gaddis breaking the tie in the vote as Ms. McIntyre, Dr. Thomas and Dr. Palman were in favor; Mrs. Walker, Dr. Lauer and Dr. Rydell were opposed.

**G. CR09-39 – Cutone/Malick – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Lauer and seconded by Dr. Palman to dismiss the complaint as it did not rise to a level which would merit Board action. Following discussion, this motion was withdrawn and the following motion was made.

**MOTION:** Made by Dr. Lauer, seconded by Dr. Palman and voted to dismiss the complaint and issue a Letter of Guidance reminding the licensee of the importance of both verifying medication information if it is one with which he is not familiar and discussing the medication and potential interactions with the patient. Additionally, the licensee will be provided with web addresses for reference when prescribing. Dr. Thomas was opposed to the motion.

**H. CR09-40 – Burtis/Nadeau – Initial Review**

**MOTION:** Made by Dr. Rydell, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as it did not merit further Board action. Dr. Thomas, Case Reporter, did not vote.

**I. CR10-07 – Rioux/Brizée – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not merit further Board action.

**J. INV09-03 – Charles Perakis, D.O. – Review of Draft Consent Agreement**

Board members reviewed the draft Consent Agreement and took this action:

**MOTION:** Made by Dr. Rydell, seconded by Dr. Palman and voted to accept the draft Consent Agreement as written and to send it to the parties for signatures.

**Continued from Page 4 of 5 – May 13, 2010 Minutes of the Board of Osteopathic Licensure**

At this time, the Board voted to go into Executive Session (Dr. Thomas, 2<sup>nd</sup> by Dr. Lauer) based on 1 MRS §405 (1)(F). Once again in Public Session, the Board took this action:

**K. INV09-11 – Charles Sullivan, D.O.**

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Rydell and voted unanimously to table any action on the matter at this time and to write to the licensee's attorney letting her know that while the Board understands that her client is unable (for health reasons) to comply with the Decision & Order, he is out of compliance. Also to request that the attorney provide the Board with copies of the licensee's treatment records from Todd MacFarlane, LCPC and that the Board be kept up to date on her client's health status and any progress that has been made toward surgery. Dr. Lauer, Case Reporter, did not vote.

**L. INV10-03 – Mariah Williams, MA, LMT – Advertising "Osteopathic Manipulation"**

Board members reviewed the Internet advertisement by Ms. Williams regarding the practice of Osteopathic Manipulation in her office. Following discussion, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to authorize AAG Carney to contact Ms. Williams in writing, notifying her that she cannot advertise to/perform procedures that are part of the practice of osteopathic medicine without having been properly trained and licensed to do so. AAG Carney will request a response from the practitioner.

**IX. Applications for Permanent Licensure**

**A. Official Vote on Licensure Applications**

Following circulation and review of the applications presented, the Board took these actions:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to approve the applications submitted by Kimberly McKean, D.O., Matthew Fletcher, D.O. and Jane Balbo, D.O.

**MOTION:** Made by Mrs. Walker, seconded by Ms. McIntyre and voted unanimously to approve the applications submitted by Gerald Beltran, D.O. and Jerald Hurdle, D.O. pending receipt of favorable references.

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to approve the application submitted by Marc Hahn, D.O. upon receipt of both favorable references and the required transcript of his national board scores.

**X. Maine Osteopathic Association Request for Speaker at Annual Convention**

The Executive Secretary reminded the Board that the MOA would like someone to speak on Sunday, June 13<sup>th</sup> at the Annual Convention which will be held at the Samoset Resort in Rockport. The speaker would be on a panel with representatives from the Maine Professionals Health Program. Dr. Gaddis noted that he would be at the convention and would participate. Dr. Thomas indicated that he, too, might be present for participation.

**VI. Adjournment**

The Board meeting was adjourned at 2:45 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure  
142 Sate House Station, 161 Capitol Street  
Augusta, ME 04333-0142  
Phone: (207) 287-2480/Fax: (207) 287-3015

**Minutes of June 10, 2010 Board Meeting – 9: 30 a.m. – 3:15 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Gary E. Palman, D.O.; Kathy Walker, Public Member; Scott A. Thomas, D.O.; Lonnie Lauer, D.O., Board Secretary; Marty McIntyre, Public Member. Board Member Excused: Joseph R. D. deKay, D.O.

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Alexandra Ainsworth, PAC; Kristen Colley, PAC; Cynthia Burnham, D.O.; Anne Rosenberg, PAC; James Owens, D.O.; Daniel Merson, D.O.; Elisabeth DelPrete, D.O.; David Perkins, Esquire; Charles 'Tom' Ferris, Esquire; Kim Gosselin; Barry Sturk; Randall Gauvin, Chief, Capitol Police.

**I. Review of May 13, 2010 Board Meeting Minutes**

Following review, the Board took this action on the March 2010 minutes:

**MOTION:** Made by Mrs. Walker, seconded by Dr. Thomas and voted unanimously to approve the minutes of the May 13, 2010 meeting as written.

**II. Miscellaneous**

**A. Revenue & Expense Report – Month of May 2010**

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to accept the revenue and expense reports for the month of May 2010.

**B. FSMB Board of Directors Meeting Highlights**

Board members reviewed the notes; no Board action was necessary. Board members asked that congratulations be extended to Randal Manning, Executive Director of the Maine Board of Licensure in Medicine on his appointment to the FSMB Board of Directors.

**C. Hospice Network News**

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

**D. Draft Complaint Review Script – AAG Carney**

Board members reviewed the re-drafted complaint review script and following discussion, took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to begin reciting the revised review script at this meeting and all future meetings if members of the public are present. If no members of the public are in attendance, the minutes of the meeting will reflect such.

**III. Interviews for Registration – Alexander Ainsworth, PAC & Kristen Colley, PAC**

Following the joint interview, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to approve the applications submitted by both Ms. Ainsworth and Ms. Colley as well as the application submitted by John F. Comis, D.O. who will serve as their Primary Supervising Physician.

**IV. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern.

**Continued from Page 1 of 5 – June 10, 2010 Minutes of the Board of Osteopathic Licensure**

**B. Cynthia Burnham, D.O.**

Because Dr. Burnham asked to be present for the Board's review, this compliance update was tabled until later in the meeting.

**C. Alfred Cichon, PA-C**

Dr. Palman noted that no current clinical concerns had been brought to his attention. Following a review of the report submitted by his supervising physician, Alexander Brazalovich, D.O., the Board asked that a letter be sent to the licensee and his supervising physician reminding him (them) of the obligation, as noted during the Informal Conference held in May 2010, to include the location of their monthly meeting and that if a corrected report is not submitted and future reports do not include this information, the Board may be forced to take action. Dr. Palman, Case Reporter, did not vote.

**D. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**E. Inna (Bertuch) LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

**F. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted that he was not aware of any current concerns.

**G. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted that the licensee would be attending the meeting later in the day. Discussion of the matter was tabled until that time. No Board action was taken.

**H. Stanley Painter, D.O.**

In the absence of Dr. deKay, Case Reporter, no concerns were noted.

**I. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no practice concerns.

**J. Lawrence P. Strohmeyer, D.O.**

Dr. Lauer, Case Reporter, noted that no new concerns had been brought to his attention. Following a review of the required reports submitted, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted unanimously to send a letter to the licensee with a cc to his counselor reminding him that the Consent Agreement which he entered into with the Board requires full participation in treatment and that arriving 20-30 minutes late for an appointment is not acceptable. Dr. Lauer, Case Reporter, did not vote.

The complaint review script was recited by Ms. McIntyre.

**V. Complaint/Investigative Reviews/Updates & Compliance Issues**

All of the following complaints were discussed in Public Session without the use of names unless otherwise noted.

**A. CR10-11 – Dolan/Carter – Initial Review**

Following their review of the complaint, response and rebuttal as well as any medical records obtained, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted to dismiss the complaint as it did not merit Board action. Motion carried with Ms. McIntyre opposed.

**B. INV09-11 – Charles Sullivan, D.O.**

Following their review of the material presented by Attorney Diane Khiel on behalf of her client, the Board took this action:

**Continued from Page 2 of 5 – June 10, 2010 Minutes of the Board of Osteopathic Licensure**

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to require that within 30 days the licensee notify the Board that he is in compliance with the requirements of the Board Order or that he propose terms, including monitoring and counseling, for consideration by the Board. The proposal will need to include the name of the person(s) proposed for counseling, therapy, monitoring, etc. with supporting documentation and justification as to why the licensee believes his plan as opposed to that proposed by the Board should be acceptable. Dr. Lauer, Case Reporter, did not vote.

**B. INV10-03 – Mariah Williams, MA, LMT – Update**

AAG Carney circulated and discussed Ms. Williams' response to the letter she had sent on behalf of the Board regarding her website which offered osteopathic manipulation at her practice. Ms. Williams stated that she would have that language removed from her site, apologized and confirmed that she was not trained to perform osteopathic manipulation. Board members were satisfied with the response. No action was necessary.

**VI. Interview for Registration – Anne Rosenberg, PAC**

Following the interview, Board members took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to approve Ms. Rosenberg's application as well as that of Brian Kaufmann, D.O. who will serve as her Primary Supervising Physician.

**VII. Consent Agreement Compliance Review – Cynthia Burnham, D.O.**

Following their review of the reports submitted pursuant to the terms of her Agreement with the Board and a brief discussion with the licensee, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. Palman and voted to terminate the licensee's Consent Agreement with the Board, effective this date. Dr. Palman abstained from voting.

Following the vote, Dr. Burnham expressed her thanks to the Board for the support she has received through the years and noted that she hopes to 'give back' to the osteopathic community through her work with students at the University of New England, College of Osteopathic Medicine.

At this time, Dr. Thomas made a motion to go into Executive Session based on 1 MRSA 405(1)(F), seconded by Mrs. Walker and voted unanimously.

**VIII. INV10-04 – Craig Schiff, D.O.**

Board members reviewed the material presented and took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Lauer and voted unanimously to accept the notice of 30-day suspension as drafted and to hold an adjudicatory hearing as required by statute, if need be. Dr. Thomas, Case Reporter, did not vote.

**IX. Consent Agreement Review & License Status – James Owens, D.O. and David Perkins, Esquire**

The licensee, his attorney as well as Drs. DelPrete and Merson joined the meeting to discuss an amendment to the current Consent Agreement as well as the renewal of his license to practice. Following their discussion with the Board, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted unanimously to accept the amendment to the Consent Agreement, as drafted. Dr. Lauer, Case Reporter, did not vote.

At this time, due to a conflict, AAG Carney left the meeting room and AAG Dennis Smith joined the meeting to provide legal counsel to the Board, if necessary, for the following complaint review.



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This complaint was reviewed in Public Session without the use of names.

**X. CR10-17 – Schenk/Beal**

Following their review and discussion, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. Thomas to dismiss the complaint as it did not rise to a level which would merit Board action against the licensee. The motion was defeated with a vote of 4 opposed and 3 in favor.

After additional discussion, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Ms. McIntyre and voted (4 in favor, 3 opposed) to dismiss the complaint but to issue a Letter of Guidance suggesting that the licensee may want to consider posting fees charged for routine procedures.

At this time, AAG Smith left and AAG Carney rejoined the meeting. Ms. McIntyre recited the Complaint Review Script and the Board proceeded to its review of CR08-35, in Public Session without the use of names.

**XI. CR08-35 – Gosselin/Sturk**

Following their review of the complaint, response and rebuttal, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Ms. McIntyre and voted unanimously to go into Executive Session, based on 1 MRS 8003(B) and 1 MRS 405(1)(F).

Once again in Public Session, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to authorize further investigation based on: 1) alleged violation of the Board's sexual boundaries rule, 2) alleged violation of the Board's rule regarding prescribing for self or family members and, 3) unprofessional conduct. Dr. Lauer, Case Reporter, did not vote.

Following additional brief discussion, another motion was made:

**MOTION:** Made by Dr. Thomas, seconded by Mrs. Walker and voted unanimously to authorize AAG Carney and the Case Reporter to work with the licensee's attorney to see if a Consent Agreement proposal can be worked out in lieu of an adjudicatory hearing. Dr. Lauer, Case Reporter, did not vote.

**XII. Official Vote on Applications for Permanent Licensure**

Following circulation and review, the Board took these actions on applications for permanent licensure:

- A. Isidro Amigo, D.O. – Held for additional references – file was incomplete;
- B. Angela Branda, D.O. – Ms. McIntyre, Dr. Thomas, unanimous Board vote to issue license;
- C. Stephen Blythe, D.O. – Ms. McIntyre, Dr. Thomas, unanimous Board vote to issue license;
- D. Thomas Cassidy, D.O. – Ms. McIntyre, Dr. Thomas, unanimous Board vote to issue license;
- E. Dominica Costello, D.O. – not in pile for review – application file was incomplete;
- F. Kristen Haddon, D.O. – Ms. McIntyre, Dr. Thomas, unanimous vote to issue license;
- G. Deidre Heersink, D.O. – not in pile for review – file was incomplete;
- H. Jodie Hermann, D.O. – application review tabled, file was not complete;
- I. Allison Kulikowski, D.O. – Ms. McIntyre, Dr. Thomas, unanimous Board vote to issue license;
- J. Vasilios Lazos, D.O. – application review tabled – application file was incomplete;
- K. Amanda K. Demetri Lewis, D.O. – Ms. McIntyre, Dr. Palman, unanimous vote to issue license;
- L. Rhianna Meadows, D.O. – Ms. McIntyre, Dr. Palman, unanimous vote to issue license;
- M. Patrick J. O'Donnell, D.O. – Dr. Rydell, Dr. Palman, unanimous vote to issue license;
- N. Mark Stevens, D.O. – Dr. Rydell, Dr. Palman, unanimous vote to issue license effective 7/1/2010;
- O. Jamie Swanson, D.O. – application review tabled – application file was incomplete;

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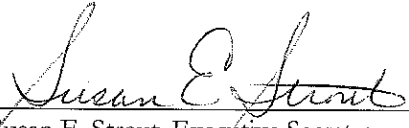
- P. John Wang, D.O. – Ms. McIntyre moved, Dr. Rydell seconded, voted unanimously to invite applicant to attend July meeting to discuss his application.
- Q. Erin P. M. Woessner, D.O. – application review tabled – additional references not yet received.

Ms. McIntyre noted that application instructions should note that applications will not be presented to the Board for review until such time as they are complete.

**XIII. Adjournment**

The Board meeting was adjourned at 3:15 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure  
142 Sate House Station, 161 Capitol Street  
Augusta, ME 04333-0142  
Phone: (207) 287-2480/Fax: (207) 287-3015

**Minutes of July 8, 2010 Board Meeting – 9: 30 a.m. – 1:55 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Gary E. Palman, D.O.; Kathy Walker, Public Member; Scott A. Thomas, D.O.; Lonnie Lauer, D.O., Board Secretary; Joseph R. D. deKay, D.O. Board Member Excused: Marty McIntyre, Public Member

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; John Wang, D.O.

**I. Review of June 2010 Board Meeting Minutes**

The review of the June 2010 minutes was tabled until the August meeting.

**II. Revenue & Expense Report – Month of June 2010**

Review of the June revenue and expense report was tabled as the report was not yet available.

**III. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern.

**B. Alfred Cichon, PA-C**

Dr. Palman, Case Reporter, noted no issues of concern.

**C. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns. However, it was noted that the monthly report due from his reviewing physician had not yet arrived, which was unusual. Board members discussed the fact that the licensee has done very well with complying with the terms of his Consent Agreement. This motion was then made:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Rydell and voted unanimously to authorize AAG Carney to investigate the cost of monitoring and to check with the PHP to get their thoughts about reducing his testing and counseling to once every three (3) months in consideration of good performance. Dr. Palman, Case Reporter, did not vote.

It was noted that the PHP report covering the month of June 2010 had not yet been received.

**D. Inna LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no issues of concern but that the report due from Dr. Paul Earley had not yet been received. No Board action was required at this time.

It was noted that the PHP report covering the month of June 2010 had not yet been received.

**E. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted that he was not aware of any current concerns.

**F. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted that the report due from Dr. Martin Finklestein, PhD was again missing. Following discussion, this motion was made:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to ask the licensee what value he feels there is in his visits to Dr. Finklestein since reports are not being submitted in a timely manner – what is he ultimately gaining in seeing him. Would he benefit from seeing someone different? Dr. Lauer, Case Reporter, did not vote.

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**G. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no concerns.

**H. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no concerns.

It was noted that the PHP report covering the month of June 2010 had not yet been received.

**I. Lawrence P. Strohmeyer, D.O.**

Dr. Lauer, Case Reporter, noted no concerns.

**IV. Other Business**

**A. Hospice Network News**

Dr. Rydell mentioned and the Board briefly discussed an article regarding Montana's marijuana laws.

**B. Letter from Member Board Liaison Donald Polk, D.O.**

Following their review of Dr. Polk's letter indicating an interest in meeting with Board members and staff, the Executive Secretary was asked to invite him to consider attending the Board's October 2010 meeting.

**C. FDA Releases New REMS Proposal for Opioid Prescription Oversight**

Board members reviewed and briefly discussed the article. No action was necessary.

**V. Review of Proposed Consent Agreement – Craig Schiff, D.O. – INV10-04**

Board members reviewed the proposed Consent Agreement which had already been signed by the licensee. Following a brief discussion, this action was taken:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to accept the proposed Agreement, as signed by the licensee. Dr. Thomas, Case Reporter, did not vote.

It was noted that the matters scheduled for 12:45 p.m. and 1 p.m. were postponed until the August 12<sup>th</sup> meeting.

At this time, John Wang, D.O. joined the meeting for the interview requested by the Board at its June 2010 meeting.

**VI. Interview re: Application for Permanent Licensure – John Wang, D.O.**

Following the interview during which Board members asked many questions regarding the applicant's plans for practice in Maine as well as additional training, Board members took this action:

**MOTION:** Made by Dr. Palman, seconded by Mrs. Walker and voted unanimously to approve the application submitted by Dr. Wang and to issue his permanent license.

Board members asked that Dr. Wang be notified as to when he will need to renew his original license.

**VII. INV10-05 – Paul Gosselin, D.O.**

Board members reviewed a draft consent agreement and took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. deKay and voted unanimously to require that the licensee undergo a psychiatric evaluation by a provider chosen from obtained from the Board and to issue a complaint for unprofessional conduct based on the investigative report from Det. Lizanecz. Dr. Lauer, Case Reporter, did not vote.

After additional discussion, the Board took this action:

**Continued from Page 2 of 3 – July 8, 2010 Minutes of the Board of Osteopathic Licensure**

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted to table action on the draft Consent Agreement. Motion carried with 4 in favor, 1 opposed (Mrs. Walker). Dr. Lauer, Case Reporter, did not vote.

**VIII. Letter from MMPHP (Maine Medical Professionals Health Program) re: New DO Board Members**  
Board members reviewed a letter from the MMPHP asking that the licensing Board approve Drs. Robert Blaik, D.O. and Alexander Brazalovich, D.O. for membership on the MMPHP committee. Following a brief discussion, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to support the membership of Drs. Brazalovich and Blaik in the MPHP.

**IX. Official Vote on Applications for Permanent Licensure**

Following circulation and review, the Board took these actions on applications for permanent licensure:

- A. Deidre Heersink, D.O. – Mrs. Walker, Dr. Rydell, unanimous Board vote to issue license;
- B. Kristen Mitchell, D.O. – Dr. Rydell, Dr. deKay, unanimous Board vote to issue license;
- C. Stephen Blythe, D.O. – Dr. Rydell, Dr. deKay, unanimous Board vote to issue license;
- D. Angela Branda, D.O. – Dr. Lauer, Dr. Thomas, unanimous Board vote to issue license;
- E. Jodie Hermann, D.O. – Dr. Lauer, Dr. Thomas, unanimous Board vote to issue license;
- F. Vasilios Lazos, D.O. – Dr. Thomas, Mrs. Walker, unanimous Board vote to issue license;
- G. Thomas Cassidy, D.O. – Dr. Thomas, Mrs. Walker, unanimous vote to issue license;
- H. Erin P M Woessner, D.O. – Dr. Thomas, Mrs. Walker, unanimous Board vote to issue license;
- I. Jamie Swanson, D.O. – application review tabled, file was not complete;
- J. Dominica Costello, D.O. – application review tabled – application file was incomplete;

**X. Adjournment**

The Board meeting was adjourned at 1:55 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure  
142 Sate House Station, 161 Capitol Street  
Augusta, ME 04333-0142  
Phone: (207) 287-2480/Fax: (207) 287-3015

**Minutes of August 12, 2010 Board Meeting – 9: 30 a.m. – 2:30 p.m.**

Meeting held in the St. Francis Room, Jack Ketchum Library on the Biddeford Campus of the University of New England

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Gary E. Palman, D.O.; Kathy Walker, Public Member; Joseph R. D. deKay, D.O.; Marty McIntyre, Public Member. Board Members Excused: Lonnie Lauer, D.O., Board Secretary; Scott Thomas, D.O.

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Jane McNally, D.O.; Christopher Taintor, Esquire; Kara Crawford, PA-C; Michael Dufresne, D.O.; Edie Woodward, PA-C; Multiple 1<sup>st</sup> and 2<sup>nd</sup> year Students of the College of Osteopathic Medicine (observing).

Following introductions and a brief presentation regarding the Board and the duties it is charged with, the meeting was called to order.

**I. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern.

**B. Alfred Cichon, PA-C**

Dr. Palman, Case Reporter, noted having received a call from the licensee who wanted to discuss recent difficult cases. Following their review of the report submitted by Mr. Cichon's supervising physician, Alexander Brazalovich, D.O., the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Ms. McIntyre and voted unanimously to notify Mr. Cichon, in writing, that future records reviews must be conducted at a jail facility and that the jail facility where the records were reviewed must be specified on the monthly report submitted by Dr. Brazalovich. Dr. Palman, Case Reporter, did not vote.

**C. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns.

It was noted that the PHP report covering the month of July 2010 had not yet been received.

**D. Inna LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no issues of concern. The Executive Secretary noted that the monthly report from Paul Earley, M.D. (Talbot Recovery Campus) had not yet been received.

**E. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted no issues of concern.

**F. James Owens, D.O.**

In Dr. Lauer's absence, the Executive Secretary noted having spoken with Dr. Owens who reported that he is now practicing at the office of Daniel Merson, D.O. It was noted that no report from Martin Finklestein, PhD had been received for July and that the report covering June was still missing. Following a discussion, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to assess a fine of \$100 for the missing June 2010 report and to assess a fine of \$100 for each future missing report.

**G. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no concerns.

**H. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, noted no concerns.

**I. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no concerns.

It was noted that the PHP report covering the month of July 2010 had not yet been received.

**J. Craig Schiff, D.O.**

In the absence of Dr. Thomas, Case Reporter, Board members tabled discussion regarding this licensee until the September meeting.

**K. Lawrence P. Strohmeyer, D.O.**

In Dr. Lauer's absence, no concerns were noted other than a missing report from Paul Perkins, M.D. Board members took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to send the licensee a letter reminding him of the importance of ensuring that reports on his behalf are submitted in a timely manner.

**II. Miscellaneous Other Business**

**A. Review of Meeting Minutes**

Following their review of the minutes of the June and July meetings, the Board took these actions:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to accept the minutes of the June 2010 Board meeting as written.

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to accept the minutes of the July 2010 Board meeting as written.

**B. Revenue & Expense Reports**

Board members reviewed and accepted the revenue & expense reports covering the months of June & July 2010.

**C. Hospice Network News**

Review of the Hospice Network News was tabled until later in the meeting.

**III. Kara Crawford, PA-C & Michael Dufresne, D.O. – Interview for Registration**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to approve the applications submitted by Ms. Crawford and Dr. Dufresne.

**IV. Bradley Smith, PA-C & Elisabeth DelPrete, D.O. – Interview for Registration**

Following the interview, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to temporarily approve the applications submitted by Mr. Smith and Dr. DelPrete and to review the applications (which were not available as the interview was not planned for/scheduled) for a vote ratifying the approval at the Board's September meeting.

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At this time, the Board voted (motion by Ms. McIntyre, 2<sup>nd</sup> by Dr. Rydell) to go into Executive Session (at the request of the licensee) for the upcoming Informal Conference.

Once again in Public Session, the Board took this action:

**V. Jane McNally, D.O. & Christopher Taintor, Esquire – Informal Conference (CR08-26)**

Following the Informal Conference, Board members authorized AAG Carney to work with the licensee and her attorney toward a Consent Agreement to resolve the concerns specified during the Informal Conference.

**VI. Edie Woodward, PA-C & Jane McNally, D.O. – Interview for Registration**

Following the interview, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Rydell and voted unanimously to approve the applications submitted by Ms. Woodward and Dr. McNally.

At this time, the Board voted (motion by Dr. Rydell, 2<sup>nd</sup> by Ms. McIntyre) to go into Executive Session to review a new investigation.

**VII. Michael Patnaude, D.O. – INV10-06**

Once again in Public Session, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted to emergently suspend the license of Michael Patnaude, D.O. due to an immediate threat to patients, based on MRS 32 § 2591-A (2)(F). Motion carried with Dr. Palman, Mrs. Walker and Ms. McIntyre in favor. Dr. Rydell was opposed to the motion. Dr. deKay, who earlier recused himself, did not participate in the discussion or the vote. Dr. Gaddis, Board Chair, did not vote.

Ms. McIntyre will serve as Case Reporter.

At this time, the Board returned to an item which was tabled earlier in the meeting.

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**II. Miscellaneous**

**C. Hospice Network News**

Board members reviewed the newsletter. No action was necessary.

**VIII. Complaints, Investigations, etc.**

Unless otherwise noted, all complaint and investigative matters were discussed in Public Session without the use of names.

**A. CR09-41 – Ray/Prue – Initial Review**

Following their review, the Board took this action:

**MOTION:** Made by Dr. Rydell, seconded by Mrs. Walker and voted to dismiss the complaint but to issue a Letter of Guidance suggesting that the licensee consider a more thorough exam with future patients experiencing similar symptoms. Dr. deKay abstained from voting.

**B. CR10-12 – Kenney/Coleman – Initial Review**

Following their review, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to dismiss the complaint as it did not warrant further Board action.



**C. CR10-15 – Courtney/Marshall – Initial Review**

Following their review, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. deKay and voted unanimously to dismiss the complaint as it did not warrant further Board action.

**D. CR10-16 – Carroll/Dastoli – Initial Review**

Following their review, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Ms. McIntyre and voted to send the complaint to the licensee for a written response and records. Dr. deKay abstained from voting.

**E. CR10-19 – Stone/Beardsley – Initial Review**

Following their review, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. deKay and voted unanimously to dismiss the complaint as it did not warrant further Board action.

**F. CR10-20 – Chenevert/Zale – Initial Review**

Following their review, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as it did not warrant further Board action.

**G. INV09-09 – Kristzina Morin, D.O. – Dr. Rydell, Case Reporter**

Following their review, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to authorize AAG Carney and Dr. Rydell to draft a Consent Agreement including but not limited to a warning regarding sensitivity to patients who are experiencing pain, particularly those with a chronic or life-threatening illness and continuing medical education concerning the same sensitivity and appropriate responses to such pain. Dr. Gaddis did not participate in the discussion or the vote. Dr. Rydell, Case Reporter, did not vote.

**H. INV09-11 – Charles Sullivan, D.O. – Dr. Lauer, Case Reporter**

In the absence of Dr. Lauer, AAG Carney discussed with the Board the request before them from the licensee's attorney, Diane Khiel. Following their review, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted to notify the licensee, through his attorney, that he must comply with the terms of the Board's Order. If he is not willing to comply, the Board will schedule an adjudicatory hearing.

AAG Carney will work with Attorney Khiel regarding this matter.

**I. INV10-01 – Michelle Andersen, D.O. – Dr. Palman, Case Reporter**

Following their review of the investigative materials and other correspondence, the Board took this action:

**MOTION:** Made by Dr. Rydell, seconded by Dr. deKay and voted unanimously to dismiss the investigation.

**J. INV10-05 – Paul Gosselin, D.O. – Dr. Lauer, Case Reporter**

Following their review of the information presented, Board members took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to move to an adjudicatory hearing based on concerns raised at an earlier meeting.

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**IX. Review of Applications for Permanent Licensure**

Following their review of the applications (which had been circulated for review), the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted to issue permanent licenses to the following applicants:

Chad Bouchard, D.O.  
Adam Cohen-Lewe, D.O.  
Elysia Kapsha, D.O.  
Veronica Simmonds, D.O.  
Jamie Swanson, D.O.

**X. Adjournment**

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure  
142 Sate House Station, 161 Capitol Street  
Augusta, ME 04333-0142  
Phone: (207) 287-2480/Fax: (207) 287-3015

**Minutes of September 9, 2010 Board Meeting – 9: 30 a.m. – 2:00 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Gary E. Palman, D.O.; Kathy Walker, Public Member; Scott Thomas, D.O.; Joseph R. D. deKay, D.O.; Marty McIntyre, Public Member. Board Member  
Excused: Lonnie Lauer, D.O., Board Secretary

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Diana Drown, PA-C; Henry Glover, PA-C; Peter Climo, D.O.

**I. Review of August 2010 Meeting Minutes**

Review of the minutes was tabled until the October meeting.

**II. Miscellaneous**

**A. Revenue & Expense Report**

Due to the meeting being so early in the month, the reports were not available.

**B. Hospice Network News**

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

**III. Bradley Smith, PA-C – Review of Application/Ratification of Vote to Approve at August Meeting**

Board members reviewed the applications submitted by Mr. Smith and Elisabeth DelPrete, D.O., having conducted the interview and approved their working relationship at the August meeting. The interview, which had not been scheduled, was granted because both parties were working and present at the University of New England where the meeting was held. The Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to ratify the August 12, 2010 vote to approve the applications submitted by Mr. Smith and Dr. DelPrete.

**IV. Diana Drown, PA-C & Henry Glover, D.O.**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Rydell and voted unanimously to approve the applications submitted by Ms. Drown and Dr. Glover upon receipt of a completed application.

**V. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern.

**B. Alfred Cichon, PA-C**

Dr. Palman, Case Reporter, noted no issues of concern. Board members asked if the letter reminding the licensee and his primary supervising physician had been sent. The Executive Secretary was out of the room so the matter will be looked into prior to the next meeting.

Board members asked that letters such as the one noted above be placed in the meeting books in the future.

**C. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns but noted that no report had been received from Michael Palumbo, D.O. and asked that a reminder letter be sent about the importance of ensuring that timely reports are submitted.

**Continued from Page 1 of 4 – September 9, 2010 Minutes of the Board of Osteopathic Licensure**

It was noted that the PHP report covering the month of August 2010 had not yet been received.

**D. Inna LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no issues of concern.

**E. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted no issues of concern.

**F. James Owens, D.O.**

Review of this matter was tabled until a later time in the meeting.

**G. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no concerns but asked that Det. Lizanecz obtain an updated report from the Prescription Monitoring Program for review prior to the next meeting.

**H. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, noted no concerns – reported that the licensee is now seeing a new therapist (David Ward) who believes the licensee is out of acute phase and has done more than is required of him.

**I. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no concerns but it was noted that the report due monthly from Travis Hussey, LCSW, had not yet been received. The Executive Secretary was asked to send a letter reminding the licensee of the importance of ensuring that reports, due on her behalf, are submitted in a timely manner.

It was noted that the PHP report covering the month of August 2010 had not yet been received.

**J. Craig Schiff, D.O.**

Dr. Thomas, Case Reporter, noted that he has received no updated information regarding the licensee.

**Resumption of Item V.F. – James Owens, D.O.**

**F. James Owens, D.O.**

In the absence of Dr. Lauer, Case Reporter, the Executive Secretary reported having contacted the licensee shortly after the start of the month because reports had not yet been received from Daniel Merson, D.O. or Martin Finklestein, PhD. The licensee stated that he would contact both and see that the reports were submitted as soon as possible. Dr. Merson contacted the Executive Secretary shortly thereafter and stated that since not a full month had passed since the licensee began working at his office, he would not submit a report. He did offer to complete and forward a "Mini Clinical Evaluation" form. After a brief discussion, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to write the licensee clarifying that all reports are due on the first of each month regardless of whether or not one of them has been on vacation.

**K. Lawrence P. Strohmeyer, D.O.**

In Dr. Lauer's absence, no concerns were noted other than a missing report from Paul Perkins, M.D. Board members took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to send the licensee a letter reminding him of the importance of ensuring that reports on his behalf are submitted in a timely manner.

**VI. Complaint/Investigation Reviews & Updates**

Unless otherwise noted, all complaint and investigative reviews are conducted in Public Session without the use of names.

**A. CR10-22 – Campbell/McInnis – Initial Review**

Following their review, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to dismiss the complaint as it did not warrant further Board action.

**B. CR10-27 – Leverett/Hyde – Initial Review**

Following their review, Board members took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. deKay and voted unanimously to dismiss the complaint as it did not warrant further Board action.

**C. CR10-30 – Herzog/Lyon – Initial Review**

Following their review, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not warrant further Board action.

**D. INV09-07 – Peter Climo, D.O. – Initial Review**

Following their review, Board members took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to schedule and Informal Conference for a future meeting.

**E. INV10-02 – Peter Climo, D.O. – Initial Review**

Following their review, Board members took this action:

**MOTION:** Made by Dr. Palman, seconded by Ms. McIntyre and voted unanimously to schedule an Informal Conference for a future meeting.

**VII. Review of Applications for Permanent Licensure**

**A. Brandon Green, D.O.**

Board members asked that Executive Secretary check with the American Osteopathic Association to be sure that, although allopathic, the internship program the applicant attended was indeed AOA approved. Upon checking, it was determined that although the program is, indeed, approved the applicant must complete a one-month Internal Medicine rotation before he will qualify for licensure in Maine. Based on that information, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Rydell and voted unanimously to notify the licensee, in writing, that he must complete the one month rotation, as noted above, before he will qualify for a Maine license and to allow him the opportunity to withdraw his application and re-apply if he wishes once the rotation has been completed and the Board has been provided with documentation of such.

**B. Cheryl B. Doane, D.O.**

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

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted unanimously to approve the application submitted by Dr. Doane for issue upon receipt, by the Executive Secretary, of proper documentation of her name change from Cheryl Elaine Bunt, D.O. to Cheryl B. Doane, D.O.

**C. Peter Dane, D.O.**

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

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to require references from physicians who have worked with and can attest to the applicants' clinical competency.

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**D. Jacob Stinson, D.O.**

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

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to approve the application submitted by Jacob Stinson, D.O.

**E. Laurel E. Schwingel, D.O.**

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

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to approve the application submitted by Laurel E. Schwingel, D.O.

**F. Luke Wood, D.O.**

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

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to approve the application submitted by Luke Wood, D.O. upon receipt of the transcript of his medical school scores from the University of New England.

**G. Theresa May, D.O.**

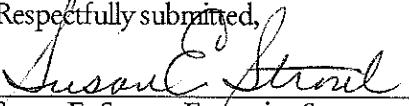
Following circulation and review of the application, Board members took this action:

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to approve the application submitted by Theresa May, D.O.

**VIII. Adjournment**

The meeting was adjourned at 2:00 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure  
142 Sate House Station, 161 Capitol Street  
Augusta, ME 04333-0142  
Phone: (207) 287-2480/Fax: (207) 287-3015

**Minutes of October 14, 2010 Board Meeting - 5:30 p.m. - 5:45 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Gary E. Palman, D.O.; Kathy Walker, Public Member; Lonnie Lauer, D.O., Board Secretary; Scott Thomas, D.O. Board Members Excused: Joseph R. D. deKay, D.O.; Marty McIntyre, Public Member

It was noted that the brief meeting followed an adjudicatory hearing\* which was held from 9:30 a.m. - 5:30 p.m. Ms. McIntyre, who was present for the entire hearing, was excused at its conclusion.

**I. Review of Applications for Permanent Licensure**

Following their review of the applications (which had been circulated for review), the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Rydell and voted to issue permanent licenses to the following applicants, effective this date: Arlene Kellman, D.O. and Seema Vasu, D.O. and to issue a permanent license to Peter B. Dane, D.O. upon receipt of one pending (favorable) reference.

Remaining items on the agenda will be reviewed/discussed at the Board's November 18, 2010 meeting.

**II. Adjournment**

The meeting was adjourned at 5:45 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Susan E. Strout, Executive Secretary

\*Meeting recorded by the Alley & Morrisette Reporting with transcript available upon request (with fees paid by party making request).

**Minutes of November 18, 2010 Board Meeting – 9: 30 a.m. – 1:30 p.m.**

Members Present: John Gaddis, D.O., Chair; David Rydell, D.O., Vice-Chair; Lonnie Lauer, D.O., Board Secretary;; Kathy Walker, Public Member; Joseph R. D. deKay, D.O.; Marty McIntyre, Public Member. Board Members Excused: Gary E. Palman, D.O. and Scott Thomas, D.O.

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Jennifer Deane, PA-C; Helen Cox, PA-C; Erika Pierce, PA-C

**I. Jennifer Deane, PA-C (supervised by Catherine Kimball, DO)**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Rydell and voted unanimously to approve the applications submitted by Ms. Deane and Dr. Kimball, D.O. (who was previously approved to serve as a Primary Supervising Physician).

It was noted that the second PA scheduled to meet with the Board was unable to be present. Since the next interviewee was not yet present, the Board spoke with an unscheduled guest, noted as follows.

**II. Erika Pierce, PA-C**

Ms. Pierce asked to speak with the Board in her role as the President Elect of the Downeast Association of Physician Assistants. Ms. Pierce related DEAPAs hope that consideration be given to granting Schedule II prescribing privileges to PAs working for nursing homes and hospices. Following the discussion, Dr. deKay suggested that specific cases in which there is a need be brought to the attention of the Board for review and discussion. Other Board members were in agreement. Ms. Pierce noted that she would report the Board's willingness to consider the request.

**III. Jared Roy, PA-C and Robert Bender, D.O.**

Following review and discussion, Board members voted unanimously to approve the applications submitted by Mr. Roy and Dr. Bender (his Primary Supervising Physician) for issue pending receipt of an amended Written Plan of Supervision which would include the signatures of those who serve as Secondary Supervising Physicians.

At this time, the Board reviewed CR10-39 out of order. Mrs. Walker read the complaint script. The complaint review was conducted in Public Session without the use of names.

**IV. Complaint/Investigation Reviews & Updates**

**A. CR10-39 – Cox/Whittaker – Initial Review**

Following their review of the complaint, responses submitted by the licensee and her supervising physician and the rebuttal submitted by the complainant, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to dismiss the complaint as it did not warrant Board action against the licensee.

The Board then resumed its review of matters in order on the agenda.



**V. Miscellaneous**

**A. Review of August, September & October Meeting Minutes**

Following their review of the three sets of minutes, this motion was made:

**MOTION:** Made by Mrs. Walker, seconded by Ms. McIntyre and voted unanimously to accept the minutes of the August, September and October 2010 meetings as written.

Dr. deKay asked that the record reflect that because he was not in attendance at the October 14, 2010 meeting his vote to approve would only actually be for the August and September minutes.

**B. Revenue & Expense Report**

Board members reviewed and accepted the September, October and November 2010 reports.

**C. Letter from Drs. Elisabeth DelPrete, D.O. and Peter Dane, D.O.**

Board members reviewed the letter which was sent following the Board meeting held at the University of New England in Biddeford on August 12, 2010. No Board action was necessary.

**D. FSMB Board of Directors Meeting Highlights**

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

**VI. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern.

**B. Alfred Cichon, PA-C**

Board members reviewed the reports received from the licensee's Primary Supervising Physician (Alexander Brazalovich, DO) covering the months of September & October 2010 and took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted unanimously to issue a Board complaint based on non-compliance with various terms of the licensee's Consent Agreement.

**C. Gudbjorn Karlsson, D.O.**

Board members noted no concerns.

**D. Inna LaBelle, D.O.**

Board members noted no issues of concern.

**E. Bradley Libenson, D.O.**

Board members noted no issues of concern.

**F. Kristzina Morin, D.O.**

Dr. Rydell, Case Reporter, noted that the licensee had submitted a request for approval of a course which was required per the Consent Agreement. No issues of concern were noted.

**G. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted that reporting was current and that Dr. Owens appears to be doing very well, seeing a reasonable amount of patients daily with no concerns having been noted by his reviewing/reporting physician.

**H. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no concerns but asked that Det. Lizanecz obtain an updated report from the Prescription Monitoring Program for review prior to the next meeting.

**I. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, noted no concerns and that reporting seems to be on track for October forward.

**J. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no concerns.

**K. Craig Schiff, D.O.**

In the absence of Dr. Thomas, Case Reporter, no concerns were noted.

**L. Lawrence P. Strohmeier, D.O.**

Dr. Lauer, Case Reporter, noted that reporting seems to be back on track. No concerns were noted.

**M. Charles Sullivan, D.O.**

Dr. Lauer, Case Reporter, noted no current practice concerns. Board members reviewed a letter from the licensee's attorney requesting, on his behalf, a payment plan for costs incurred from the December 2009 adjudicatory hearing. Following discussion, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the payment plan request as follows: \$200 per month for seven months, with payments to be made by the first of each month, beginning with December 1, 2010 and ending June 1, 2011 with the balance of \$83.75 to be paid by July 1, 2011 if not included with the June payment.

**Continuation of Item IV. Complaint/Investigation Reviews & Updates (from p. 1)**

AAG Carney left the room during the following discussion and vote.

**IV. Complaint/Investigation Reviews & Updates**

Following review and consideration, the Board took this action:

**B. INV10-06 – Michael Patnaude, D.O. – Board Review of Draft Board Order**

**MOTION:** Made by Dr. Rydell, seconded by Dr. Lauer and voted to accept the Decision & Order as a true and accurate record of the October 14, 2010 decision.

A second motion was then made:

**MOTION:** Made by Dr. Rydell, seconded by Dr. Lauer and voted to approve the Decision & Order for signature. Motion carried with 3 members in favor (Drs. Lauer, Rydell and Gaddis) and 1 opposed (Mrs. Walker). Ms. McIntyre, Case Reporter, did not vote.

Dr. deKay, who was not present for the adjudicatory hearing did not participate in the discussion or the vote.

Attorney Carney returned to the meeting and the Board continued with its agenda.

**C. CR08-26 – Jane McNally, D.O.**

Following their review of a request submitted by counsel on behalf of the licensee, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to table any action on the matter until the March 2011 Board meeting.

**D. CR10-13 – Stockwell/Cravalho – Initial Review**

Following review of the complaint, written response, medical records and the rebuttal submitted by the complainant, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action against the licensee.

**E. CR10-18 – Guay/Dulac – Initial Review**

Following review of the complaint, written response, medical records and the rebuttal submitted by the complainant, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Dr. deKay and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action against the licensee.

**F. CR10-21 – Cichon/Baum – Initial Review**

Following review of the complaint, written response, medical records and the rebuttal submitted by the complainant, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action against the licensee.

**G. CR10-26 – Libenson/Moore – Initial Review**

Following review of the complaint which was presented to the Board without response or rebuttal because the complainant did not sign appropriate paperwork allowing Board staff to process the complaint as usual, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to subpoena the records of the patient for review at a future meeting.

**H. CR10-29 – McGarr/Sears – Initial Review**

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

**MOTION:** Made by Dr. Rydell, seconded by Ms. McIntyre and voted unanimously to invite the licensee to attend an Informal Conference at a future meeting.

**I. CR10-31 – Campbell/Bilynsky – Initial Review**

Following review of the complaint, written response, medical records and the rebuttal submitted by the complainant, the Board took this action:

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

**J. CR10-42 – McNally/Paul – Initial Review**

Following review of the complaint which was presented to the Board without response or rebuttal because the complainant did not sign appropriate paperwork allowing Board staff to process the complaint as usual, the Board took this action:

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

**K. INV09-08 – George Stockwell, D.O. – Initial Review**

Following their review of the materials gathered during the investigation (based on a letter submitted by another physician), the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Mrs. Walker and voted unanimously to invite the licensee to attend an Informal Conference and to authorize Det. Lizanecz to obtain a Prescription Monitoring Profile going back one year for review by the Case Reporter. Dr. Rydell, Case Reporter, did not vote.

**VII. Official Vote on Applications for Permanent Licensure – Circulated for Review**

**A. Brandon Green, D.O.**

Following their review of the application submitted, the Board took this action:

**MOTION:** Made by Ms. McIntyre and seconded by Mrs. Walker to approve the application.

Following discussion, that motion was withdrawn and a second made:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to request that the licensee attend the December 2010 meeting for a brief interview regarding approval of his internship via AOA Resolution 42 and to discuss where he will practice, etc.

**B. Gopinatha Albert, DO, Lauren Ball, DO, John M Farthing, DO & Matthew S Wall, DO**

Following review of the applications submitted by the above-named physicians, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the applications submitted by Drs. Gopinatha Albert, Lauren Ball, John Farthing and Matthew Wall.

**VIII. Election of Officers**

Ms. McIntyre, who served as Chair of the Nominating Committee took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to elect the following as officers of the Board: David J. Rydell, D.O. – Board Chair, Marty W. McIntyre, Public Member – Vice Chair and Scott A. Thomas, D.O. – Board Secretary

**IX. Adjournment**

The meeting was adjourned at 1:30 p.m.

Respectfully submitted,

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Susan E. Strout, Executive Secretary

**Minutes of December 9, 2010 Board Meeting – 9: 30 a.m. – 4:20 p.m.**

Members Present: David J. Rydell, D.O., Chair; Marty W. McIntyre, Vice-Chair; Scott Thomas, D.O., Board Secretary; Kathy Walker, Public Member; Joseph R. D. deKay, D.O.; John F. Gaddis, D.O.; Lonnie C. Lauer, D.O.; Gary Palman, D.O.

Others Present: Susan E. Strout, Executive Secretary; Carrie Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Brandon Green, D.O., Charles Sullivan, D.O. (and spouse), Diane Khiel, Esq., James Owens, D.O., David Perkins, Esq., Daniel Merson, D.O., Katherine Moran, Peter Climo, D.O., Kenneth Lehman, Esq., Margaret Palmer, Ph.D., Lani Graham, M.D., MPH

**I. Brandon Green, D.O. – Interview re: Application for Permanent Licensure**

Following the interview, which the Board had asked Dr. Green to attend for the purpose of discussing the details of American Osteopathic Association Resolution 42 and its being the catalyst for approval of his internship, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. Palman and voted unanimously to approve the application submitted by Brandon M. Green, D.O., effective immediately.

At this time, because not all of the parties for the adjudicatory hearing listed next on the agenda were present, the Board reviewed the following, out of order:

**II. Consent Agreement Compliance Issues, Updates, etc.**

**A. Albert Amalfitano, D.O.**

Dr. Gaddis, Case Reporter, noted no issues of concern.

**B. Alfred Cichon, PA-C**

Dr. Palman, Case Reporter, noted no new issues of concern. The Board noted that no response to its letter regarding reporting issues, etc. had been received to date.

**C. Gudbjorn Karlsson, D.O.**

Dr. Palman, Case Reporter, noted no concerns. Board members noted the letters in support of terminating his Consent Agreement with the Board in January 2011. Following a discussion regarding consistently timely reports and the hard work the licensee has done, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to terminate the Consent Agreement, effective December 31, 2010. Dr. Palman, Case Reporter, did not vote.

**D. Inna LaBelle, D.O.**

Dr. Palman, Case Reporter, noted no concerns. It was noted that no report was present and the Executive Secretary reminded the Board that the November meeting was late in the month and that reports for the month of November had been received and were reviewed at the November 18<sup>th</sup> meeting.

**E. Bradley Libenson, D.O.**

Dr. Palman, Case Reporter, noted no new issues of concern.

**F. Kristzina Morin, D.O.**

Dr. Rydell, Case Reporter, reported that the licensee had completed the required CME and paid the fine assessed by the Board. The Board then took this action:

**Continued from Page 1 of 4 – December 9, 2010 Minutes of the Board of Osteopathic Licensure**

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to terminate the licensee's Consent Agreement, effective immediately. Dr. Rydell, Case Reporter, did not vote.

**G. James Owens, D.O.**

Dr. Lauer, Case Reporter, noted that reporting was current and that Dr. Owens would be meeting with the Board at a later time during the meeting.

**H. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no concerns.

**I. Michael Patnaude, D.O.**

Ms. McIntyre, Case Reporter, noted that the licensee had completed the approved CME course in Atlanta. No new concerns were noted.

**J. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, reported no concerns. It was noted that some reports were not present and the Executive Secretary reminded the Board that as with one other physician, some reports covering November 2010 had been received prior to the November 18<sup>th</sup> meeting and were reviewed on that date.

**K. Natania Piper, D.O.**

Dr. Rydell, Case Reporter, noted no concerns.

**L. Craig Schiff, D.O.**

Dr. Thomas, Case Reporter, noted no current information and reminded the Board that the licensee cannot currently practice pursuant to his Agreement with the Board.

**M. Lawrence P. Strohmeier, D.O.**

Dr. Lauer, Case Reporter, noted that reporting seems to be back on track. No concerns were noted.

**N. Charles Sullivan, D.O.**

Dr. Lauer, Case Reporter, noted no new concerns. The Executive Secretary reported that the licensee had submitted his first installment payment, received on November 8<sup>th</sup>.

**III. AAOE Annual Meeting**

Dr. Rydell noted announcement of the annual American Association of Osteopathic Examiners meeting to be held in January 2011 and asked that any Board member wishing to attend contact the Executive Secretary as soon as possible.

At this time (10:20 a.m.), the adjudicatory hearing regarding Charles W. Sullivan, D.O. began. James E. Smith, Esquire who served as Hearing Officer, opened the hearing

**IV. Charles W. Sullivan, D.O. & Diane Khiel, Esquire – Adjudicatory Hearing**

The hearing was recorded by the Alley & Morrisette Reporting firm with transcripts available upon request (with fees paid by party making request). A draft decision, written by the Hearing Officer, will be reviewed by the Board at its January 13, 2011 meeting.

**V. James Owens, D.O. – Meeting re Reporting Requirements**

Dr. Owens joined the meeting, along with his attorney, David Perkins, Esq. and his monitoring physician Daniel Merson, D.O. to discuss terminating some reporting requirements. Following discussion, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to terminate the reporting requirement section(s) of the licensee's Consent Agreement with the Board.

After additional discussion with the parties, another motion was made:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to terminate the licensee's Consent Agreement with the Board, effective upon receipt of CME info.

At the request of the licensee, the upcoming Informal Conference was held in Executive Session. Once again in Public Session, the Board took these actions:

**VI. Peter Climo, D.O. & Kenneth Lehman, Esq. – Informal Conferences re: CR09-07 & INV10-02**

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted to dismiss the complaint and the investigation but to issue a letter of guidance regarding the need for good professional boundaries and patient communication including being sure that patients understand that it is the prescribing physician who determines how much medication will be prescribed for them. Board members also suggested that the licensee seek CME which would address the prescribing of scheduled substances. Ms. McIntyre and Mrs. Walker were opposed to the motion.

At this time, the Board began its review of complaints and investigative updates. Ms. McIntyre recited the complaint review script. All complaint reviews were conducted in Public Session without the use of names, unless otherwise noted.

**VII. Complaint/Investigation Reviews & Updates**

**A. CR10-25 – Palmer/Moran – Initial Review – Dr. Thomas, Case Reporter**

Following review and discussion of the complaint, written response, medical records and the rebuttal submitted by the complainant, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to dismiss the complaint but to issue a Letter of Guidance regarding 1) improved patient communication regarding their diagnosis to be sure treatment is prompt and direct and, 2) better communication with hospital staff, reminding the licensee that patients at rehab facilities already feel vulnerable. Dr. Thomas, Case Reporter, did not vote.

**B. CR10-16 – Carroll/Dastoli – Initial Review**

Following their review of the complaint, the response submitted by the licensee and medical records, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Mrs. Walker and voted to dismiss the complaint as it did not warrant Board action against the licensee. Dr. deKay was not in the room at the time of the vote.

**C. CR10-33 – Kazalski/Chaplin – Initial Review**

Following their review of the complaint, the response submitted by the licensee and medical records, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Lauer and voted to dismiss the complaint as it did not rise to a level which would warrant Board action against the licensee. Drs. Gaddis and Palman and Ms. McIntyre were opposed to the motion.

**D. CR10-34 – Kovanko/Ketcham – Initial Review**

Following review of the complaint, response from the licensee and medical records and the rebuttal submitted by the complainant, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. deKay and voted unanimously to dismiss the complaint with a Letter of Guidance regarding 1) bearing in mind, with chronic pain patients, that if you are going to hold them to a particular standard, it should be explained in advance [i.e. be clear ahead of time that there may be consequences for certain conduct such as attempts to obtain opiate prescriptions ahead of schedule], 2) having such patients sign contracts outlining standards and consequences including a requirement for periodic urine testing and finally, 3) consider referring certain chronic pain patients to pain specialists.

**E. CR10-36 – Sornberger/Ketcham – Initial Review**

Following review of the complaint, written response and medical records and the rebuttal submitted by the complainant, the Board took this action:

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

**F. CR10-38 – Whitworth (& DeCarolus)/Wainwright – Initial Review**

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

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

**G. CR10-43 – Brennan/Grandmaison – Initial Review**

Following review of the complaint, written response, medical records and the rebuttal submitted by the complainant, the Board took this action:

**MOTION:** Made by Dr. deKay to dismiss the complaint and to issue a Letter of Guidance suggesting that the licensee consider instituting a policy regarding parents who do not follow his advice regarding immunizations. There being no second, the motion was withdrawn and after additional discussion, another motion was made:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Gaddis and voted to dismiss the complaint as it did not rise to a level which would warrant Board action against the licensee. Dr. Palman was opposed to the motion.

**VIII. Official Vote on Applications for**

**A. Peter McKay, D.O. – Application for Locum Tenens License**

Following their review of the materials presented with the application, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to table any action on the application until the January 2011 meeting when additional information has hopefully been received regarding an affirmative answer to Personal Data question 7.G on the Locum Tenens application.

**B. Permanent Licensure Application**

Following their review of the permanent licensure applications circulated, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. deKay and voted unanimously to approve the applications submitted by: Dominica Costello, D.O., Kevin Cowell, D.O., Jennifer Marks, D.O., David Rancourt, D.O. and William Scott, D.O.

**MOTION:** Made by Dr. Palman, seconded by Dr. Gaddis and voted unanimously to approve the application submitted by Jeffrey Cole, D.O.

**IX. Adjournment**

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

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Susan E. Strout, Executive Secretary