

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 January 13, 2011 Board Meeting – 9:30 a.m. – 1:30 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.; Lonnie C. Lauer, D.O.; Gary Palman, D.O. Board Member  
Absent: John F. Gaddis, 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; Craig Schiff, D.O.; Kenneth Lehman, Esquire; Erika Pierce, PA-C; Jessa Barnard, Esquire;

**I. November & December 2010 Board Meeting Minutes**

Following their review of the November 2010 minutes, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to accept the November 2010 minutes, as drafted. Dr. deKay was not present for the vote.

Following their review of the December 2010 minutes, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to accept the minutes of the December meeting with corrections to the draft, as discussed. Dr. deKay was not present for the vote.

**II. Revenue/Expense Report**

Board members reviewed and accepted the revenue & expense reports for the months of December 2010 and January 2011. No concerns were noted.

**III. Letter from Gordon Smith, Executive Vice President – Maine Medical Association**

Board members reviewed a letter from Attorney Smith regarding organizational changes within the Medical Professionals Health Program, including Lani Graham, M.D. assuming the position of Medical Director. Attorney Smith's letter suggested that Dr. Graham would like to meet with the Executive Secretary to discuss the upcoming changes, etc. Following a brief discussion, the Board asked that in addition to the meeting with the Executive Secretary, the Board would like an opportunity to meet and speak with her separate from the annual report date. The meeting will be scheduled within the next few months.

**IV. FSMB Annual Meeting Notice & Scholarship Information**

Board members reviewed and discussed the annual meeting materials. Dr. Rydell indicated an interest in representing the Board. AAG Carney was encouraged to check with her supervisor(s) at the Office of the Attorney General to see if consideration would be given for her make the trip. Travel, lodging and meal expenses would be reimbursed for both Dr. Rydell and AAG Carney.

Dr. deKay joined the meeting at this time.

**V. Ericka Pierce, PA-C & Attorney Jessa Barnard (representing DEAPA<sup>1</sup>)**

Ms. Pierce and Attorney Barnard joined the meeting to discuss the Schedule II prescribing privileges for physician assistants and the request that this Board consider rule-making to allow for the privilege. Following discussion, the Board asked Ms. Pierce to gather some statistical information such as how many PAs have applied for this privilege with the Board of Licensure in Medicine, how many have been denied, how many granted and whether or not there have been clinical problems because of it. Ms. Pierce was encouraged to attend a future meeting for further discussions.

At this time, the Board voted (motion by Ms. McIntyre, 2<sup>nd</sup> by Dr. Palman) unanimously to go into Executive Session based on MRS 2591-A (1). Once again in Public Session, the Board took this action:

<sup>1</sup> Downeast Association of Physician Assistants/Maine Medical Association

**VI. Craig Schiff, D.O. & Kenneth Lehman, Esquire – Review of Draft Consent Agreement**

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to approve the Consent Agreement with the changes discussed during Executive Session.

AAG Carney left the meeting briefly to make the approved changes so that the document could be signed before the licensee left the meeting.

**VII. 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 and that the report covering the month of December 2010 was probably the most complete report received to date. Board members also noted no response to the November 2010 letter.

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

Dr. Palman, Case Reporter, noted no concerns and reminded the Board that the Consent Agreement had been terminated effective December 31, 2010. December reports were included in the book to indicate that the licensee had complied with the terms of his Agreement through the end of the month.

**D. Inna Labelle, D.O.**

Dr. Palman, Case Reporter, noted no concerns regarding practice but noted the absence of the monthly report from Paul Earley, M.D. A report was received from Cynthia Hurley, M.D. a primary care physician who indicates that she is reporting on the licensee yet she has not been approved. The Board asked that a letter be sent to the licensee regarding the missing report from Dr. Earley and additional information regarding reports from a physician who has not yet been approved.

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

Dr. Palman, Case Reporter, noted no new concerns.

**F. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no new concerns.

**G. Michael Patnaude, D.O.**

Ms. McIntyre, Case Reporter, noted that the licensee did attend the required PBI course in Atlanta. Nothing further is due until March 2011.

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

Dr. deKay, Case Reporter, reported no concerns.

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

Dr. Rydell, Case Reporter, noted no concerns. The Executive Secretary stated that there was no report for December 2010 as the licensee's scheduled appointment was to have been on the day of the blizzard (December 27<sup>th</sup>) and was rescheduled.

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

Dr. Thomas, Case Reporter, noted that with the Agreement having only been signed at an earlier time during this meeting no report was due.

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

Dr. Lauer, Case Reporter, noted no concerns but rather the positive feedback from his monitoring physician indicating that he appears to be headed in the right direction. The Board did ask that a letter be sent reminding the licensee of the importance of timely monthly reports.

**L. Charles Sullivan, D.O.**

Dr. Lauer, Case Reporter, noted no new concerns.

**VIII. Licensure Matters**

**A. Peter Climo, D.O.**

Board members reviewed a request from the licensee for an extension of time or a waiver regarding his CME requirement for the renewal period ending November 30, 2010. Following their review, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to offer the licensee a six month extension of time to obtain the statutorily required Continuing Medical Education for renewal of his license through November 30, 2012. The licensee will be reminded that none of the hours obtained toward this Agreement can be used toward his statutory requirement for the renewal period ending November 30, 2014.

**B. Peter McKay, D.O. – Locum Tenens License Applicant**

Board members reviewed the applicants file and took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to notify the licensee that if he is interested in pursuing licensure in Maine, he will need to contact and enter into a contract with the Maine Medical Professionals Health Program and a Consent Agreement with this Board which would include, but not be limited to, following the recommendations made by the evaluator, contract with the MMPHP. IF he is not interested in doing so, he may withdraw his application.

At this time, the Board began its review of complaints and investigative updates. Dr. Thomas recited the complaint review script. All complaint reviews were conducted in Public Session without the use of names, unless otherwise noted.

**IX. Complaint/Investigation Reviews & Update**

**A. CR10-44 – Good/Casserly**

Following their review and discussion regarding the complaint, written response from the licensee, rebuttal from the complainant and medical records gathered, 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 rise to a level which would warrant Board action.

**B. CR10-26 – Libenson/Moore**

Following their review of the complaint (it was noted that no response had been requested of the licensee as the complainant did not complete paperwork or cooperate by providing necessary information), the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted to dismiss the complaint as it did not rise to a level which would warrant Board action. Mrs. Walker opposed the motion. Dr. Palman, Case Reporter, did not vote.

Following additional discussion, the Board asked that Det. Lizanecz visit the licensee's practice and review a random selection of female patient records.

**C. CR10-50 – Alfred Cichon, PAC**

Following a discussion regarding the lack of response to the complaint filed against the licensee on the Board's own motion, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted to table action at this time and to authorize Det. Lizanecz to visit any or all of the 3 jails where the licensee is contracted to provide medical care to try and determine if the primary supervising physician actually makes on site visits and if so, when and what takes place.

At this time, AAG Carney left the meeting room.

**D. INV09-04 – Charles Sullivan, D.O.**

Following their review of the draft interlocutory decision and order, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to accept the decision as written. Dr. Lauer, Case Reporter, did not vote.

Attorney Carney returned to the meeting and the Board reviewed a letter from the licensee's attorney (to which AAG Carney raised no objection) regarding costs associated with the hearing. Following their review of the letter, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to assess hearing costs of \$1263.05. It was noted that because this was an Interlocutory Decision, hearing costs were not final and thus no invoice would be forwarded to the licensee at this time.

Board members also noted that the January 1, 2011 installment payment (\$200) which was agreed to by the Board upon the request of the licensee had not yet been received.

**X. Official Vote on 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: Laura Silver, D.O., Mark Pace, D.O., Christopher Cook, D.O., Jason Starkman, D.O. and Jon Levin, D.O.

**XI. Adjournment**

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

Respectfully submitted,



Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure  
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**Minutes of February 10, 2011 Board Meeting – 9: 30 a.m. – 12:30 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; Timothy Davis, PAC; David Argereow, PAC; Hal Cohen, D.O.; Amanda Schweizer, PAC; Emily Bloch, Esquire

**I. January 2011 Board Meeting Minutes**

The minutes were not finalized for review. Review tabled until the March 2011 meeting.

**II. Revenue/Expense Report**

Board members reviewed and accepted the revenue & expense report for January 2011. No concerns were noted.

**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 new issues of concern. Det. Lizanecz noted that he had not yet had an opportunity to finalize investigating the matters requested/authorized by the Board at the January 2011 meeting.

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

Dr. Palman, Case Reporter, noted no concerns regarding practice but did note the absence of reports. Board members reviewed the letter which the Executive Secretary sent to the licensee regarding the lack of required reports from Paul Earley, M.D. as well as a letter from the Maine Medical Professionals Health Program which noted that required reports had also not been forwarded to that program for some time.

At this time, the Board tabled further reviews in order to conduct one of its scheduled interviews.

**IV. Timothy Davis, PA-C – Interview for Registration**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to approve the applications submitted by Mr. Davis and his supervising physician, David Hyde, D.O. (not present as he had previously been approved to serve as a Primary Supervising Physician). Ms. McIntyre was not present.

The Board resumed its review of Item III. **Consent Agreement Compliance Issues, Updates, etc.**

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

Dr. Palman, Case Reporter, noted that Det. Lizanecz had visited the licensee's office and performed a random chart review and that his report had been distributed. Det. Lizanecz briefly discussed his visit and the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted to file a complaint on the Board's own motion for failure to comply with the terms of Section II.1.A-C of his Agreement with the Board. Dr. Palman, Case Reporter, did not vote. Dr. Thomas was opposed to the motion. Ms. McIntyre was not present.

At this time, the Board tabled further reviews in order to conduct one of its scheduled interviews.

**V. Karissa Fahnestock, PAC & Annette Goodman, D.O. – Interview for Registration**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to approve the applications submitted by Ms. Fahnestock and her supervising physician, Annette Goodman, D.O. It was noted that Ms. McIntyre was not present.

**VI. David Argereow, PAC – Interview for Registration**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to approve the applications submitted by Mr. Argereow and his supervising physician, Paul Berkner, D.O. (not present as he had previously been approved to serve as a Primary Supervising Physician). It was noted that Ms. McIntyre was not present.

**VII. Amanda Schweizer, PAC & Hal Cohen, D.O. – Interview for Registration**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to approve the applications submitted by Ms. Schweizer and her supervising physician, Hal Cohen, D.O.

Ms. McIntyre joined the meeting at the beginning of the above interview.

The Board resumed its review of Item III. **Consent Agreement Compliance Issues, Updates, etc.**

**E. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no new concerns.

**F. Michael Patnaude, D.O.**

Ms. McIntyre, Case Reporter, noted that she had granted approval of a provider to conduct the required neuropsychiatric evaluation. The Executive Secretary reported that the licensee had contacted the Board office requesting an extension of time for the delivery of the evaluation report as he was unable to secure an appointment until late February 2011. The Board agreed to the extension of time; the report will be due prior to the regularly scheduled meeting in April 2011.

**G. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, reported no concerns.

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

Dr. Rydell, Case Reporter, noted a missing report and the Executive Secretary reminded the Board of the appointment in December 2010 which had been cancelled due to the blizzard and that she believed the visit would be made up later in the month. The Board reviewed the licensee's request for two amendments to her Agreement and took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to approve the licensee's request that Sherri Dumont, D.O. be her new primary care provider and to deny the request for a decrease in visits with the primary care provider from quarterly to semi-annually. Dr. Rydell, Case Reporter, did not vote.

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

Dr. Thomas, Case Reporter, noted no new information or concerns and that, to his knowledge, the licensee was not yet working.

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

Dr. Lauer, Case Reporter, noted no concerns.

**K. Charles Sullivan, D.O.**

Dr. Lauer, Case Reporter, noted no new concerns.

At this time, the Board began its review of complaints and investigative updates. Dr. Thomas recited the complaint review script. All complaint reviews were conducted in Public Session without the use of names, unless otherwise noted.

**VIII. Complaint/Investigation Reviews & Update**

AAG Carney left the meeting room and AAG Robert Perkins joined the meeting to provide counsel to the Board during its review of the following complaint:

**A. CR10-40**

Following their review of the complaint, the response submitted by the licensee and medical records, 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 rise to a level which would warrant Board action.

AAG Carney re-joined the meeting; Board members thanked AAG Perkins for covering the above matter.

**B. CR10-37**

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. Palman and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action.

AAG Carney noted that she will look into the matter of HIPAA/physicians sharing patient information.

**C. CR10-32**

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

**MOTION:** Made by Dr. Lauer, seconded by Dr. Palman and voted to issue a Letter of Reprimand (part of a Consent Agreement). Motion carried with Drs. Palman, Rydell, Gaddis, Lauer & deKay and Ms. McIntyre in favor. Mrs. Walker and Dr. Thomas were opposed to the motion.

**D. CR10-48**

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

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted to issue a Letter of Guidance suggesting that in the future, messages regarding diagnoses not be left on a patient's voice mail. Dr. Thomas was opposed to the motion; Dr. Gaddis abstained from voting.

**E. CR10-51**

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

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to accept the complainant's request to withdraw the complaint.

**F. CR10-52**

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

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

**G. CR10-53**

Following their review of the complaint, the response submitted by the licensee and medical records, 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 rise to a level which would warrant Board action.

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

**A. Betsy Ellen Wesley, D.O.**

Following their review of Dr. Wesley's request to withdraw her application, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to grant the applicant's request to withdraw her application and proceed no further.

**B. Permanent Licensure Applications**

Following their review of the permanent licensure applications circulated, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the applications submitted by Peter Kirbach, D.O., and Lisa Billings-Lindsay, D.O.

**X. FSMB Annual Meeting**

Dr. Palman inquired whether AAG Carney had received approval from her office to attend the annual meeting. AAG Carney noted that she had not had an opportunity to speak with her direct supervisor but would do so and report back at the next meeting.

**XI. Adjournment**

The meeting was adjourned at 12:30 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary



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**Minutes of March 10, 2011 Board Meeting – 9: 30 a.m. – 2:15 p.m.**

Members Present: David J. Rydell, D.O., Chair; Scott Thomas, D.O., Board Secretary; Joseph R. D. deKay, D.O.; John F. Gaddis, D.O.; Lonnie C. Lauer, D.O.; Gary Palman, D.O. Members Excused: Marty W. McIntyre, Vice-Chair; Kathy Walker, 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; Sean McGarr, DO; Emily Bloch, Esquire; Todd Sears; James E Smith, Esquire; Angela Westhoff, Executive Director, Maine Osteopathic Association; Erika Pierce, PA-C, President-Elect, Downeast Association of Physician Assistants

**I. January & February 2011 Board Meeting Minutes**

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted to table review of the January and February 2011 minutes until the April 14, 2011 meeting.

**II. Revenue/Expense Report**

Board members reviewed and accepted the revenue & expense report for February 2011. No concerns were noted.

**III. FSMB Proposed Amendments to Bylaws/Report of the Nominating Committee/Resolutions**

Board members reviewed the materials and briefly discussed the proposed resolutions. Dr. Rydell will represent the Board. AAG Carney noted that while her immediate supervisor did not have an issue with her potentially attending the meeting, an adjudicatory for another Board she represents is scheduled during the time period and she needs to be present for that matter. AAG Carney will look into the possibility of attending in 2012.

At this time, the complainant, the licensee and his attorney joined the meeting for the next matter and the Board voted (motion by Dr. deKay, 2<sup>nd</sup> by Dr. Thomas) to go into Executive Session at the request of the licensee (pursuant to 32 MRS 2591-A(1)). Once again in Public Session, the Board took this action:

**IV. Informal Conference – CR10-29 – Sean McGarr, D.O. & Emily Bloch, Esquire/Todd Sears**

**MOTION:** Made by Dr. Thomas, 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.

The review of complaints is conducted in Public Session without the use of names unless otherwise noted.

**V. Complaint/Investigation Reviews & Update**

**1. CR08-26 – Jane McNally, D.O.**

Dr. Gaddis, Case Reporter, provided the Board with an overview of his review of patient records obtained during the course of complaint review. Dr. Gaddis noted that while he remains concerned about sufficient documentation in the medical records reviewed, he was mindful that the original issue which came to the Board's attention was overprescribing and because the licensee has referred most of the patients who were receiving pain medications to other providers, he did not feel that Board action was warranted. Following further discussion, 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 rise to a level which would warrant Board action against the licensee but to issue a Letter of Guidance suggesting that while electronic medical records can be useful they can also be of concern particularly for patients who are medication-dependent. Labs should be reflected with each visit as levels of function are important. Dr. Gaddis, Case Reporter, did not vote.

**2. CR09-17 – Kaplan/DHHS Referral – Dr. deKay, Case Reporter**

Dr. deKay provided an in-depth overview of the record. Following discussion, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. Thomas and voted to dismiss the complaint as it did not rise to a level which would warrant Board action against the licensee. Dr. Gaddis abstained from participation and did not vote. Dr. deKay, Case Reporter, did not vote.

**VI. Discussion re Schedule II Prescribing Privileges for Physician Assistants**

Angela Westhoff, Executive Director of the Maine Osteopathic Association and Erika Pierce, PA-C (President-Elect, DEAPA) joined the meeting to discuss the possibility of rule-making to allow PAs working under the supervision of osteopathic physicians to apply for the privilege of prescribing Schedule II medications. Ms. Westhoff referred the board to a letter from Joel Kase, D.O. who serves as President of the Maine Osteopathic Association indicating support for the consideration of such rule-making. Following discussion, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. Gaddis and voted to create a committee of 3 or 4 to work toward components of a rule which might allow physician assistants working under the supervision of osteopathic physicians the privilege of prescribing Schedule II medications on a case by case basis. Dr. Thomas was opposed to the motion.

Dr. Lauer was not in the meeting room for the discussion or the vote.

**VII. 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 and that the most recent report was more thorough than those previously received.

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

Dr. Palman, Case Reporter, noted the receipt of overdue reports from Talbott Recovery Center and Paul Earley, M.D. The Executive Secretary reported that due to the mix-up with reports from the MMPHP<sup>1</sup>, Talbott and Dr. Earley would be forwarding all reports to the Board office as well as the MMPHP. Mrs. Strout also noted that Dr. Labelle was very upset to have learned of the mix-up and worked to have reports submitted. The Board reviewed a letter from the licensee with two requests and took the following actions:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to approve the licensee's request for a reduction in visits with Paul Earley, M.D. to quarterly. Dr. Palman, Case Reporter, did not vote.

Following a brief discussion regarding the licensee's request for an amendment regarding visits with her Primary Care Physician, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to approve Cynthia Hurley, M.D. as the licensee's primary care physician but to deny her request for a reduction in visits with her PCP from quarterly to annually because her Consent Agreement requires only semi-annual visits with the PCP after the first year of the Consent Agreement. Board members did not feel this should be an overly burdensome requirement. Dr. Palman, Case Reporter, did not vote.

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

Dr. Palman, Case Reporter, noted no current concerns.

<sup>1</sup> Maine Medical Professionals Health Program

**E. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no new concerns.

**F. Michael Patnaude, D.O.**

In the absence of Ms. McIntyre, Case Reporter, the Executive Secretary noted no issues of concern but asked that the Board consider an earlier start time at the April 14, 2011 meeting so that certain matters which need to be scheduled could be addressed prior to the start of the adjudicatory hearing (unrelated to this licensee) – one of them being the presentation required of this licensee as part of his Decision & Order. Board members agreed to begin at 9 a.m.

**G. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, reported no concerns.

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

Dr. Rydell, Case Reporter, noted no concerns.

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

Dr. Thomas, Case Reporter, noted no concerns and that the licensee had submitted the fees required per the terms of his Agreement with the Board.

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

Dr. Lauer, Case Reporter, noted no concerns.

**K. Charles Sullivan, D.O.**

Dr. Lauer, Case Reporter, noted no new concerns.

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

**A. Permanent Licensure Applications**

Following their review of the permanent licensure applications circulated, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to approve the application submitted by Diana Alexandru, D.O.

**MOTION:** Made by Dr. Gaddis, seconded by Dr. Lauer and voted unanimously to approve the application submitted by Doreen M. Kendall, D.O.

Following a break for lunch, James Smith, Esquire, joined the meeting for the purpose of finalizing the Interlocutory Decision & Order regarding Charles Sullivan, D.O.

**IX. Charles Sullivan, D.O.**

Attorney Smith, who served as Presiding Officer at the December 2010 hearing, opened the discussion noting that the purpose of the meeting was to finalize the Interlocutory Decision & Order. Dr. Lauer, Case Reporter, noted that the licensee had complied with the requirement that he enter into a contract with the MMPHP. Attorney Smith also noted that counsel to the licensee, Diane Khiel, Esquire, was offered the opportunity to be present either in person or via teleconference. AAG Carney was present. Board members reviewed the draft Final Decision which included suggestions made by Attorney Khiel and supported by AAG Carney. Following review and discussion, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to approve the document. Dr. Lauer, Case Reporter, did not participate or vote.

Board members then reviewed and discussed the paperwork and request presented by Attorney Khiel regarding financial hardship. Having reviewed all documentation, the Board determined that no change would be made to the financial portion of the Decision.

Continued from Page 3 of 4 – March 10, 2011 Minutes of the Board of Osteopathic Licensure

**X. Linda Christensen, PA-C & J. Bertrand Audette, D.O. – Interview for Registration**

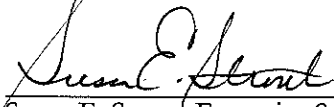
Following the interview, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Dr. Palman and voted unanimously to approve the applications submitted by Ms. Christensen and Dr. Audette.

**XI. Adjournment**

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to adjourn the meeting at 2:15 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary

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

**Minutes of April 14, 2011 Board Meeting – 9: 30 a.m. – 12:30 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. Board Members excused: 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; James E. Smith, Esquire; Emily Bloch, Esquire; Michael Patnaude, D.O.; George Stockwell, D.O.; Debra Fusco (Court Reporter)

**I. Michael Patnaude, D.O. – Presentation before the Board/Finalization of Board Order**

The licensee provided the Board with an overview of the course he had been required to take (pursuant to the Interlocutory Decision & Order) and what he has learned from both the course and the events which led to the Order. Following his presentation and a discussion regarding his compliance, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. Gaddis and voted to require 6 months additional counseling (1 visit monthly) to ensure that the licensee maintains the progress made with the Professional Boundaries, Inc. course. Dr. Thomas was opposed to the motion. Ms. McIntyre, Case Reporter, did not vote. Dr. deKay, who was recused from participation, did not vote.

Following additional discussion, this motion was made:

**MOTION:** Made by Dr. Thomas to re-open voting regarding the motion for counseling. There being no second, the motion failed.

Following additional discussion, this motion was made:

**MOTION:** Made by Dr. Gaddis, seconded by Mrs. Walker and voted to assess additional hearing costs of \$1005 (bringing the total reimbursement amount to \$3525). Dr. Thomas was opposed to the motion. Ms. McIntyre, Case Reporter, did not vote. Dr. deKay, who was recused from participation, did not vote.

Pursuant to Maine statute (32 MRS 2591-A(1)), at the request of the licensee, the following informal conference was held in Executive Session. Once again in Public Session, the Board noted the following:

**II. Informal Conference – George Stockwell, D.O. – INV09-08**

Having discussed the concerns with the licensee and reviewed all of the investigative information, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. deKay and voted unanimously to close the investigation with no additional action necessary.

**III. January, February & March 2011 Board Meeting Minutes**

Following review, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Gaddis and voted unanimously to accept the minutes of the January, February & March 2011 minutes as written.

**IV. Revenue/Expense Report**

Board members reviewed and accepted the revenue & expense report for March 2011. No concerns were noted.

**V. Complaint/Investigation Reviews & Update**

All complaint reviews were conducted in Public Session unless otherwise noted.

**A. INV10-09**

Following their review of the information received, the Board tabled any action and asked Detective Lizanecz to further investigate the matter.

**B. INV11-02**

Following their review of Det. Lizanecz's investigative summary and information received from the Radiologic Technology Board of Examiners, 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 reminding the licensee that although physicians are authorized to take x-rays, they are not authorized to delegate this duty to anyone who is not licensed or otherwise authorized to take x-rays.

**C. INV11-03**

Following their review of the investigative material gathered to date, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to issue a complaint on the Board's own motion regarding unprofessional conduct.

**D. INV11-07**

Following their review of information which came to the attention of the Board, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to send a letter to the licensee regarding the statutory requirement (MRS 32 §2600-A) that he provide the Board with a 'personal residence address.'

**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**

In Dr. Palman's absence, the Board noted the receipt of the monthly report from the licensee's supervising physician.

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

In Dr. Palman's absence, the Board noted the cover note from the Maine Medical Professionals Health Program (hereafter "MMPHP") for the month of March 2011 but the absence of the required monthly report from Paul Earley, M.D. and lab reports from Talbott Recovery Center. The Board then took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously for the Executive Secretary to inquire as to whether the MMPHP received the March 2011 reports due from the Talbott Recovery Center and whether they received Dr. Earley's report in error. A fine of \$100 will be assessed for the late report from Talbott with an additional \$100 fine if the report due from Dr. Earley was not mistakenly submitted to the MMPHP.

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

In Dr. Palman's absence, there was no discussion.

**E. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no new concerns.

**F. Michael Patnaude, D.O.**

Ms. McIntyre, Case Reporter, noted that the matter had been discussed earlier in the meeting and there was no additional information.

**G. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, reported no concerns.

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

Dr. Rydell, Case Reporter, noted the monthly reports and requested that the MMPHP be asked to include random urine screening for Welbutrin and Prozac.

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

Dr. Thomas, Case Reporter, noted no new information or concerns and that, to his knowledge, the licensee was not yet working.

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

In the absence of Dr. Lauer, Case Reporter, the Executive Secretary noted no concerns.

**K. Charles Sullivan, D.O.**

In the absence of Dr. Lauer, Case Reporter, the Executive Secretary noted no concerns. It was noted that the installment payments for the months of March and April 2011 had not yet been received.

**VII. Permanent Licensure Applications**

Following their review of the permanent licensure applications circulated, the Board took these actions:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to invite Kaliope Parousis, D.O. to attend the May 12 meeting of the Board to discuss her application for permanent licensure and concerns regarding her lack of practice since finishing her residency. Dr. Parousis is scheduled to sit for the American Osteopathic Board of Family Practice. Her results should be available in time for her to update the Board at the meeting.

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to approve the permanent licensure applications submitted by Scott A. Dyer, D.O., Lawrence Fialkow, D.O., Igor Genov, D.O., Matthew Goldberg, D.O., James M. Newbern, D.O., Joan Pelletier, D.O. and Christopher Renaud, D.O.

**Continuation of Item I. Michael Patnaude, D.O. (Page 1)**

Board members reviewed the draft Final Decision and Order, prepared by Hearing Officer James E. Smith, based on the earlier presentation and vote. Following the review, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. Gaddis and voted unanimously to accept the Final Decision and Order as written. Ms. McIntyre, Case Reporter, did not vote. Dr. deKay who was recused from participation, did not vote.

**VIII. Adjournment**

The meeting was adjourned at 12:30 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 May 12, 2011 Board Meeting – 9:30 a.m. – 3:45 p.m.**

Members Present: David J. Rydell, D.O., Chair; Marty W. McIntyre, Vice-Chair; Joseph R. D. deKay, D.O.; John F. Gaddis, D.O.; Lonnie C. Lauer, D.O.; Gary Palman, D.O. Members excused: Scott Thomas, D.O. & Kathy Walker, 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; James E. Smith, Esquire; Paul Gosselin, DO; Eric Mehnert, Esquire; Kaliope Parousis, DO; Kimberly Barns; Robert Allen, MD; Debra Fusco (Court Reporter)

**I. New Business**

**A. April 2011 Board Meeting Minutes**

Following review, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to accept the minutes of the April 2011 meeting as written.

**B. Revenue/Expense Report**

Board members reviewed and accepted the revenue & expense report for April 2011. No concerns were noted.

**C. Medscape News – Federal Plan to Fight Prescription Drug Epidemic**

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

**D. UNE/COM Alumni Fall CME Weekend – Request for Speaker**

Following a brief discussion, Dr. Lauer offered to speak with Adam Lauer, D.O. (who presented the request) and explain that it was not advisable that a Board member speak on the Board's opinion regarding any matter.

**II. Kaliope Parousis, D.O. – Interview re Application for Permanent Licensure**

Dr. Parousis joined the meeting, accompanied by Robert Allen, M.D., Executive Medical Director, Penobscot Community Health Care (hereafter 'PCHC') where Dr. Parousis has been hired to provide pediatric care. The Board discussed their concern with the fact that the applicant had not practiced since completing her residency. The applicant noted that she had recently taken her certifying Board exam and was awaiting the results. Following a lengthy discussion, Board members made these motions:

**MOTION:** Made by Dr. deKay and seconded by Dr. Palman to draft a Consent Agreement with (including but not limited to) the following terms: 1) 6 months supervision by a Board Certified pediatrician within the PCHC network, beginning with 2 weeks one on one supervision at Penobscot Pediatrics, lessening to one month close supervision at Helen Hunt Health Center; 2) dedicated time for support and meaningful interaction with other pediatricians/physicians within the PCHC system; and 3) monthly reports to the Board from supervising physicians.

After additional discussion, Dr. deKay amended his motion by adding the following:

**AMENDMENT TO MOTION:** Made by Dr. deKay, seconded by Dr. Palman to have PCHC provide the Board with the credentials of the physician(s) supervising the applicant and submitting the monthly report(s). It was also noted that the reports(s) should be consistently from the same provider.

Dr. Allen noted that the supervising/reviewing physician would probably be Sandra Benanti, D.O. who is a Board Certified pediatrician.

Following yet further discussion, this motion was made:



**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay to table action on the application. Motion failed with Ms. McIntyre and Dr. deKay in favor; Drs. Palman, Lauer and Gaddis were opposed.

Dr. Gaddis noted that the Board is accountable to the public regarding those licensed to practice and following more discussion, the Board took the two following actions:

**MOTION:** Made by Dr. deKay to vote on his original motion. Motion failed with no second.

The Board then took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted to issue the applicant a Locum Tenens license for a period of six months with supervision and oversight provided by PCHC. The Board would like to see reports on a monthly basis with one full report at the end of the six month period at which time the Board will re-consider the application for permanent licensure. Motion carried with 4 in favor (Drs. Gaddis, Palman, Lauer and Ms. McIntyre) and 1 opposed (Dr. deKay). Dr. Rydell did not vote.

### 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 the receipt of the monthly report from the licensee's supervising physician.

#### C. Inna LaBelle, D.O.

Dr. Palman noted receipt of the monthly report from the Maine Medical Professionals Health Program (hereafter "MMPHP").

#### D. Bradley Libenson, D.O.

Dr. Palman, Case Reporter, noted no new concerns.

#### E. Stanley Painter, D.O.

Dr. deKay, Case Reporter, noted no new concerns.

#### F. Michael Patnaude, D.O.

Ms. McIntyre, Case Reporter, noted her approval of a counselor, as required by the Board Order, and that monthly reports will be due beginning in June.

#### G. Charles Perakis, D.O.

Dr. deKay, Case Reporter, reported no concerns.

#### H. Natania Piper, D.O.

Dr. Rydell, Case Reporter, noted the report from the MMPHP and no concerns.

#### I. Craig Schiff, D.O.

In the absence of Dr. Thomas (Case Reporter), no new information was available. The Executive Secretary did report having received a call from a hospital considering hiring him for some shifts and that an update should be available in June.

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

Dr. Lauer, Case Reporter, noted no concerns.

#### K. Charles Sullivan, D.O.

Dr. Lauer, Case Reporter, noted no practice concerns. It was noted that the installment payments for the months of March, April and May 2011 (due on the first day of each month) had not yet been received.

**IV. Paul G. Gosselin, D.O. – Adjudicatory Hearing**

At 11:15 a.m., Paul Gosselin, D.O., accompanied by his attorney, Eric Mehnert, Esquire entered the meeting room. James E Smith, Esquire who served as Presiding Officer, began the Adjudicatory Hearing.

A transcript of the entire hearing is available by contacting Alley & Morrisette Reporting. Request(s) for a transcript must be requested through that firm. Please call or e-mail the Board office for contact information. A draft decision, based on the vote(s) at this meeting, will be prepared by Atty. Smith for review and consideration at the Board's June 2011 meeting.

**V. Permanent Licensure Applications**

Following their review of the permanent licensure applications circulated, the Board took these actions:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the permanent licensure applications submitted by: Puneet Singh, D.O., Jason Sneed, D.O., Abigail Masterman, D.O., Jonathan Bausman, D.O., Bahar Emily Esmaili, D.O., Thomas Reynolds, D.O., Daniel Gibbons, D.O., Anne C. Jones, D.O., Michael Lunn, D.O. and Jessica Gold, D.O.

**VIII. Adjournment**

The meeting was adjourned at 3:45 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 9, 2011 Board Meeting – 9:30 a.m. – 2:15 p.m.**

Members Present: David J. Rydell, D.O., Chair; Marty W. McIntyre, Public Member & Vice-Chair; Joseph R. D. deKay, D.O.; John F. Gaddis, D.O.; Lonnie C. Lauer, D.O.; Scott Thomas, D.O.; Kathy Walker, Public Member. Member excused: 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; Cathryn Stratton, Administrative Coordinator, Maine Medical Professionals Health Program (hereafter 'MMPHP'); Lani Graham, M.D., Medical Director, MMPHP; Gordon Smith, Esq., Executive Vice President, Maine Medical Association; Jessica Dell A'quila, PAC; Sarah Dooley, PAC; Todd Stapley, DO; Cynthia Vail, PAC; Dustin Sulak, DO; Therese Lampron; Kris Sornberger, DO

#### **I. Miscellaneous**

##### **A. May & June 2011 Board Meeting Minutes**

Review of the May 2011 minutes was tabled until the July 2011 meeting.

##### **B. Revenue/Expense Report**

Board members reviewed and accepted the revenue & expense report for May 2011.

##### **C. Maintenance of Licensure**

Board members discussed the subject which is a major topic of interest for/with the Federation of State Medical Boards. Following a lengthy discussion on the subject which further led to discussion regarding the Board's current licensure application process, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to authorize the Executive Secretary to revise the entire application for permanent licensure in such a way that issues germane to MOL and other areas of concern will be addressed. A draft will be presented to the Board for review at an upcoming meeting.

##### **D. Hospice News Network – Issues 18, 19 & 20**

Board members reviewed the most recent news bulletins. No Board action was necessary.

##### **E. Board Member CME Update**

The Executive Secretary reported having checked with the American Osteopathic Association (hereafter 'AOA') regarding the fact that Board members no longer receive credit hours for Board meeting participation. Scott Richmond, the representative with whom the Executive Secretary spoke, noted that it has been some time since credits were given for participation in licensing board meetings. The Board has no record of having been informed of the policy change. Following discussion, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Gaddis and voted unanimously to send a letter to the AOA requesting information regarding when the policy changed, the rationale behind the decision and the possibility for future consideration of credit for meeting participation.

#### **II. PA Committee Update – Ms. McIntyre**

Ms. McIntyre, Public Member who represents the Board on the PA Committee, noted that the following issues are being discussed by the Board of Licensure in Medicine (MD Board): 1) the Board is considering a requirement that any PA registered with or applying for registration disclose to the Board if he/she owns the practice wherein they will be supervised and to notify the Board of measures in place to help avoid the perception of a conflict of interest; 2) a requirement that all Physician Assistants working under the supervision of an MD be registered with the Prescription Monitoring Program; and 3) currently, the MD Board does not require structured meetings/reviews between each PA and his/her MD supervising physician and that the Board is considering mandating semi-annual meetings.

Ms. McIntyre further noted a push for less and less supervision of physician assistants. The Board also briefly discussed the proposal from the Downeast Association of Physician Assistants (hereafter 'DEAPA') that PAs registered with this Board be allowed Schedule II prescribing privileges and the length of the time, effort and money it will take to promulgate such rulemaking.

### **III. Interviews(s) for Registration(s)**

#### **A. J Dell'Aquila, PAC, Sara Dooley, PAC & Todd Stapley, DO**

Following the interview with Dr. Stapley and the two PAs who will be working in the Emergency Department at Inland Hospital (under his supervision), the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to approve the applications submitted by Ms. Dell'Aquila, Ms. Dooley and Dr. Stapley with the expectation that Dr. Stapley will submit a revised Plan of Supervision which includes all settings where each PA may work under his supervision.

Board members also noted a desire to meet with Michael Palumbo, DO (Inland Hospital) regarding supervision and chart review for a better understanding of how things will work for any PA working at a Wal-Mart Clinic site, i.e., chart review, face-to-face meetings and to discuss the fact that a separate Plan of Supervision will probably be necessary for each PA working at the Wal-Mart Clinic. Dr. Stapley noted that he does not now nor does he have any plans to supervise or be responsible in any manner for the supervision of physician assistants staffing Wal-Mart Clinic(s).

Dr. deKay asked that the Board be provided with a copy of Wal-Mart's protocol for the Wal-Mart Clinic, if available.

#### **B. Anthony Curro, PAC & Dr. Wallingford, DO**

Mr. Curro was not present. His interview will be re-scheduled.

#### **C. Cynthia Vail, PAC & Dustin Sulak, DO**

Prior to the interview, Board members had an opportunity to review some literature provided by Dr. Sulak. Following the review and the interview process, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Lauer and voted unanimously to approve the applications submitted by Ms. Vail and Dr. Sulak.

Dr. Sulak was asked about secondary supervising physicians (none listed on Plan of Supervision). He noted that he would currently be the only physician available but that his spouse, Danielle Saad, DO, will become a secondary once she has completed her residency in August 2011. Dr. Sulak also noted his desire to hire additional physicians to work with him and that once approved, at least one of them would potentially become a secondary supervising physician (long distance as he is still a resident physician, in another state).

Board members discussed with Dr. Sulak the fact his is a very controversial, often changing field of medicine and that he should be very careful not to become drawn into medical-legal issues.

### **IV. 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**

In the absence of Dr. Palman (Case Reporter) Board members noted the receipt of the monthly report from the licensee's supervising physician.

#### **C. Inna Labelle, D.O.**

In the absence of Dr. Palman (Case Reporter), Board members noted receipt of the monthly report from the Maine Medical Professionals Health Program (hereafter 'MMPHP'). It was also noted that the licensee had not yet signed and

**Continued from Page 2 of 6 – June 9, 2011 Minutes of the Board of Osteopathic Licensure**

returned the proposed First Amendment to Consent Agreement. The Executive Secretary was asked to follow up with the licensee.

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

In the absence of Dr. Palman (Case Reporter), no new concerns were noted. However, it did come to the Board's attention that the licensee had not yet reimbursed the Board for investigative costs incurred prior to the execution of his Consent Agreement signed in April 2008. The Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to remind the licensee of his responsibility to comply with the terms of his Agreement by remitting the costs as invoiced and notify him that the Board does have the authority to deny his upcoming renewal based on his failure to comply with the Agreement.

**E. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, noted no new concerns and asked that Det. Lizanecz obtain an updated profile from the Prescription Monitoring Program as is routinely done pursuant to the terms of the licensee's Agreement with the Board.

**F. Michael Patnaude, D.O.**

Ms. McIntyre, Case Reporter, reminded the Board that she had approved a counselor prior to the May meeting and the Executive Secretary noted that the licensee had contacted the office to report that that particular doctor/patient relationship would not work and he would like to propose another provider for consideration. Ms. McIntyre reported having reviewed a CV for and approving yet another counselor proposed by the licensee. Board members asked that the originally approved counselor confirm, in writing, that one visit had in fact taken place.

**G. Charles Perakis, D.O.**

Dr. deKay, Case Reporter, reported no concerns. Board members discussed the licensee's request for an amendment to his Consent Agreement allowing for nail testing to replace urine testing for periods of time when he vacations on Criehaven Island, ME. Following discussion, the Board unanimously tabled any action on the licensee's request until the July 2011 meeting at which time additional information regarding this form of testing should be available.

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

Dr. Rydell, Case Reporter, noted no concerns.

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

Dr. Thomas, Case Reporter, noted no concerns and that he had heard nothing further regarding potential employment. It was noted that pursuant to Section 5.B.II of his Agreement, a report from the licensee's Primary Care Provider was due at the beginning of June.

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

Dr. Lauer, Case Reporter, noted no concerns.

**K. Charles Sullivan, D.O.**

Dr. Lauer, Case Reporter, noted no practice concerns. It was noted that the installment payments for the months of March, April, May and June 2011 (due on the first day of each month) had not yet been received. Following discussion, the Board asked that a letter be sent to the licensee reminding him that the installment payment (which he specifically requested) due on the first of each month had not been received since February 2011, asking him to outline when he plans to pay, how much he plans to pay and that Board members would like to see him at least make a good faith effort toward compliance with the terms of his Board Order.

At this time, Dr. Rydell recited the Complaint Review Script and the Board began its review of complaints and investigations.

**V. Complaints & Investigations**

The following complaints and investigations were reviewed in Public Session, without the use of names.

**Continued from Page 3 of 6 – June 9, 2011 Minutes of the Board of Osteopathic Licensure**

**A. INV09-06 – Stacy Henner-Walden, DO**

Following the Board's receipt of a report from the corporate office of Community Pharmacy that the licensee may be overprescribing certain medications, Dr. Rydell agreed to serve as Case Reporter, thoroughly reviewing reports from the Prescription Monitoring Program and multiple medical records. Dr. Rydell reported that although many prescriptions for certain medications had indeed been written, the need was supported in the medical record(s). Board members took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. deKay and voted unanimously to dismiss the investigation and to take no action against the licensee. Dr. Rydell, Case Reporter, did not vote.

After additional discussion, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to send a letter to the Community Pharmacy corporate office thanking them for having brought the concern to the Board's attention. Dr. Rydell, Case Reporter, did not vote.

**B. INV10-05 – Paul G. Gosselin, DO**

Board members reviewed the draft Interlocutory Decision and took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. deKay and voted unanimously to approve the decision as written. Dr. Lauer, Case Reporter, did not vote. Mrs. Walker abstained from voting as she was not present for the hearing.

**C. INV10-09 – Anthony Kozma, DO**

Board members reviewed the anonymous report of concern received and, based on Det. Lizanecz's investigative report, took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Gaddis and voted to invite the licensee to attend an Informal Conference at an upcoming meeting. Mrs. Walker was opposed to the motion.

**D. CR10-50 – Cichon (PAC)/Board Motion**

Following review of the licensee's response to the complaint and the reports and investigative material gathered by Det. Lizanecz, Board members took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to issue Letters of Guidance to both the licensee and his Primary Supervising Physician regarding truthfulness when submitting reports to the Board.

**E. CR11-05 – Merrill (PAC)/Jordan**

Board members reviewed the complaint, response and medical records and 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.

**F. CR10-28 – Hammond/Lampron**

Board members reviewed the complaint, response and medical records as well as a report from Dr. Palman who reviewed all medical records but was unable to be present, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. Gaddis and voted to dismiss the complaint as it did not warrant further Board action. Ms. McIntyre and Dr. deKay were opposed to the motion.

**G. CR10-32 – Somberger/Hashey**

Board members, having previously offered the licensee a draft Consent Agreement, reviewed a request for reconsideration and following discussion, took these actions:

Continued from Page 4 of 6 – June 9, 2011 Minutes of the Board of Osteopathic Licensure

**MOTION:** Made by Dr. Thomas, seconded by Mrs. Walker and voted to rescind the proposed Consent Agreement. Motion carried with 4 in favor and 2 opposed (Ms. McIntyre and Dr. Lauer).

**MOTION:** Made by Dr. Thomas, seconded by Mrs. Walker and voted to dismiss the complaint and to replace the originally voted Consent Agreement with a Letter of Guidance regarding accuracy when creating Electronic Medical Records. Motion carried with 4 in favor and 3 opposed (Ms. McIntyre, Dr. Lauer and Dr. Gaddis).

**VI. Permanent Licensure Applications**

Following their review of the permanent licensure applications circulated, the Board took these actions:

- A. Lorraine Ash, D.O.  
Catherine Fredricks-Rehagen, D.O.  
Eric Haskell, D.O.  
Yasmin Mahal, D.O.  
Lisa McAllister, D.O.  
John McMahon, D.O.  
Geoffrey Noonan, D.O.  
William Peternel, D.O.

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the applications submitted by the above-named applicants.

- B. Molly Biehl, D.O.  
Jessica House, D.O.  
Joseph Strauss, D.O.

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the applications submitted by the above-named applicants for issue upon receipt of the one (1) pending reference each.

- C. Pamela S. Hiti, DO

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to table further action on the application for permanent licensure pending an evaluation by the MMPHP. The Board also discussed possible terms for a future Consent Agreement which would include, but not be limited to, monitoring and supervision.

- D. Thor S. Agustsson, DO

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to table further action on the application for permanent licensure and to send a letter to the applicant's residency director asking for his perspective about residents moonlighting and doing tele-psychiatry, asking if residents typically discuss moonlighting with the residency director or other faculty members and more specifically his thoughts regarding a resident practicing tele-psychiatry, potentially serving as a secondary supervisor for a physician assistant in another state while working for a general practitioner who never completed a residency.

- E. Erin Horsley, DO

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to table further action on the application pending additional information from the applicant regarding her current practice status and her plans for work in Maine.

- F. Amy Grzysiewicz, DO

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the application submitted for permanent licensure.

Continued from Page 5 of 6 – June 9, 2011 Minutes of the Board of Osteopathic Licensure

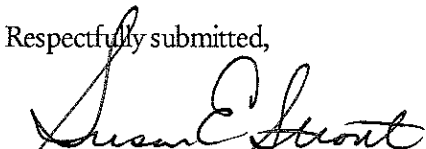
**VII. Maine Medical Professionals Health Program (‘MMPHP’) Annual Report**

Lani Graham, M.D., Medical Director of the MMPHP, Cathryn Stratton, Administrative Director and Gordon Smith, Esquire, Legal Counsel joined the meeting and provided the Board with an in-depth overview of the program and answered many questions. Board members noted their appreciation for improvements made in recent years.

**VIII. Adjournment**

The 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 July 14, 2011 Board Meeting – 9:30 a.m. – 12:00 p.m.**

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

Others Present: Susan E. Strout, Executive Secretary; Dennis Smith, Assistant Attorney General (in the absence of AAG Carney); Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Anthony Curro, PAC; Craig Wallingford, DO.; Erica Pierce, PAC

**I. Miscellaneous**

**A. May & June 2011 Board Meeting Minutes**

Following their review, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to approve the minutes of the May 2011 and June 2011 minutes with the addition of the word “approve” in the motion in Item VI.F. (Permanent Licensure Applications).

**B. Revenue/Expense Report**

Due to the changeover to the new fiscal year (FY12), the financial reports for June 2011 were not yet available. Board members reviewed and discussed the e-mail from Rachel Hendsbee at Professional & Financial Regulation regarding the upcoming transfer of dedicated funds to the General Fund. Dr. Thomas asked that the Board be provided an explanation regarding the formula used to arrive at the figures listed.

**C. Hospice News Network – Issues 21 – 25**

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

Dr. Rydell took a moment to remind Board members and staff that Donald H. Polk, D.O. (TN Board of Osteopathic Medicine) who is a member of the Board of Directors of the Federation of State Medical Boards (FSMB), and serves as FSMB Liaison to this Board will be joining us at the August 11<sup>th</sup> meeting. Dr. Polk along with one other representative of the FSMB will present the Board with an update of FSMB activities and services.

**II. Interview for Registration – Anthony Curro, PAC & Craig Wallingford, DO**

Following the interview, the Board took this action:

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

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

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

Dr. Gaddis, Case Reporter, noted that the licensee had recently been ill. His review of the appointment log and prescription pads indicated no issues of concern.

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

Dr. Palman, Case Reporter, noted receipt of the monthly report from the Primary Supervising Physician and no new issues of concern.

**C. Paul G. Gosselin, D.O.**

Dr. Lauer, Case Reporter, noted no new issues of concern. The Executive Secretary reported that the licensee had been to the office on Friday, July 8<sup>th</sup> to request a copy of the July 2010 letter and list of providers for the required mental health exam (provider report is due on August 9<sup>th</sup>). Dr. Rydell asked for confirmation of the dates listed in Sections 4 & 5 of the Interlocutory Board Order. The Executive Secretary will check with James E. Smith, Esquire who served as Presiding Officer and wrote the Order.

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

Dr. Palman, Case Reporter, noted that the licensee had submitted her signed First Amendment to Consent Agreement and that reports due from Talbott were received. No Board action was necessary.

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

Dr. Palman, Case Reporter, noted that upon receipt of the Board's reminder, the licensee remitted a check for the full amount of the costs due from 2008 (which were due no later than April 1, 2011). Board members also reviewed the Final Decision & Order regarding this licensee, issued by the New Hampshire Board of Medicine. No Board action was necessary.

**F. Stanley Painter, D.O.**

Dr. deKay, Case Reporter, was unable to be present but, having reviewed the updated profile from the Prescription Monitoring Program, sent a request through the Executive Secretary that specific medical records be obtained and forwarded to him for review prior to the August meeting.

**G. Michael Patnaude, D.O.**

Ms. McIntyre, Case Reporter, noted receipt of the first report from the new counselor, with no concerns. No Board action was necessary.

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

In the absence of Dr. deKay, Case Reporter, Board members again discussed the licensee's request for an amendment to his Consent Agreement and reviewed the materials provided by the Medical Professionals Health Program. Following the discussion, Board members took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to deny the licensee's request for an amendment to the Consent Agreement.

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

Dr. Rydell, Case Reporter, noted the absence of a required treatment provider report. Because there have been previous instances of late/missing reports, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to assess a fine of \$100 due to the missing report. Dr. Rydell, Case Reporter, did not vote.

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

Dr. Thomas, Case Reporter, noted no new information or concerns and that, to his knowledge, the licensee was not yet working. The Executive Secretary noted that reports from the licensee's Primary Care Provider have not been received in a timely manner and reminded the Board that none had been received for March 2011 and the reports received (following a call from the Board office) cover only the months of October 2010 and February 2011. The Board then took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to send the licensee a letter reminding him that it is his responsibility to follow up with those who are slated to submit reports on his behalf to be sure that they have done so.

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

Dr. Lauer, Case Reporter, noted the receipt of monthly reports. Board members noted issues reported by the licensee's treatment providers and took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to send a letter to the licensee's mental health provider asking for clarification of the dates and times of his visits for the last year including how many visits he arrived late for and how late he was for each of those appointments. Dr. Lauer, Case Reporter, did not vote.

**L. Charles Sullivan, D.O.**

Dr. Lauer, Case Reporter, noted no clinical concerns. Board members noted the \$25 installment payment (as opposed to the \$200 monthly payment previously agreed to, at the request of the licensee) as well as the e-mail from the licensee's attorney, Diane Khel, Esquire. The Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Ms. McIntyre and voted unanimously to accept the lower installment payment on a temporary basis and to review in six (6) months. Dr. Lauer, Case Reporter, did not vote.

At this time, the Board began its review of complaints and investigative updates. Dr. Thomas recited the complaint review script. All complaint reviews were conducted in Public Session without the use of names, unless otherwise noted.

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

**A. CR11-12 – Lamb/Bradford**

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

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to invite the licensee to attend an Informal Conference at an upcoming meeting and in the meantime to gather medical records from the patient's Primary Care Physician (pursuant to references made in the ED record) and by the complainant.

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

**A. Permanent Licensure Applications**

Following their review of the permanent licensure applications circulated, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. Palman and voted unanimously to approve the applications submitted by Judith Generoso, D.O., John J Ho, D.O.; Jamie Kalafatich, D.O. and Diana Okuniewski, D.O.

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to table any action on the application submitted by Sean Breen, D.O. pending a meeting with the applicant at a future meeting.

**MOTION:** Made by Dr. Rydell, seconded by Ms. McIntyre and voted unanimously to table action on the application submitted by Thor Agustsson, D.O. pending a meeting with the applicant at a future meeting.

Board members questioned whether there are standards applying to non-Board certified physicians practicing telepsychiatry.

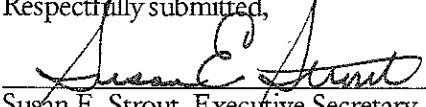
**VI. Dr. Palman – Update re Discussion of Schedule II Prescribing Privileges for Physician Assistants**

Dr. Palman noted ongoing discussions regarding potential rule-making to allow physician assistants to prescribe Schedule II drugs and that he would be working on a draft document for consideration at a future meeting.

**VII. Adjournment**

The 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 August 11, 2011 Board Meeting – 9:30 a.m. – 3:15 p.m.**

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

Others Present: Susan E. Strout, Executive Secretary; Carrie L. Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Dustin Sulak, DO; Peter Elvin, PA; Lisa Robin, MLA, Senior Vice President, Advocacy & Member Services, Federation of State Medical Boards (hereafter 'FSMB'); Donald Polk, DO, TN Board of Osteopathic Medicine, Board of Directors, FSMB; Brian Fortie, PA-C; Michael Palumbo, DO; Sheila Boese, PA-C; Emily Bloch, Esquire; Thor Agustsson, DO; Heidi Bean, Esquire; Peter Climo, DO

Dr. Rydell welcomed and introduced Ms. Robin and Dr. Polk, from the Federation of State Medical Boards, to the meeting.

**I. Miscellaneous**

**A. July 2011 Board Meeting Minutes**

This matter was tabled until a later time in the meeting.

**B. Revenue & Expense Report/Streamlining Initiative Info**

Board members reviewed and accepted the revenue & expense reports. The Executive Secretary noted having met with Commissioner Head regarding the streamlining initiative and that because most boards and commissions within the Department of Professional & Financial Regulation operate on dedicated revenues, the effect on the department should be fairly minimal.

**C. DO News – MOA Announcement & Osteopathic Examiner**

Board members reviewed and briefly discussed the materials and congratulated Dr. Palman for having been awarded the Roswell P. Bates, DO Public Service Award for outstanding achievements in public health and community service in support of osteopathic medicine.

Dr. deKay joined the meeting at the beginning of the following interview.

**II. Interviews for Registration**

**A. Peter Elvin, PA & Dustin Sulak, DO**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Mrs. Walker and voted to approve the applications submitted by Mr. Elvin and Dr. Sulak for issue upon receipt of references, an updated CV with removal of his reference as PA-C (he is no longer certified by the NCCPA) and accurate employment information. Dr. Thomas was opposed to the motion.

**B. Brian Fortie, PA-C & Michael Palumbo, DO**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Dr. deKay and voted unanimously to approve the applications submitted by Mr. Fortie and Dr. Palumbo.

**C. Sheila Boese, PA-C**

Following the interview, the Board took this action:

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to approve the applications submitted by Ms. Boese and Dr. Knighton (previously approved), represented by Dr. Palumbo.

### **III. Complaints, Investigations & Updates**

Dr. Rydell agreed to review this matter at the request of the attorney representing the licensee who was unable to attend the latter portion of the meeting. Dr. Thomas recited the complaint review script. All complaint reviews are conducted in Public Session without the use of names, unless otherwise noted.

#### **A. CR09-38 – McGarr/DHHS Referral**

Following their review, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted to dismiss the investigation. Dr. Gaddis, Case Reporter, did not vote. Drs. deKay, Thomas and Palman and Mrs. Walker voted in favor of the motion; Dr. Rydell and Ms. McIntyre were opposed.

The Board reviewed remaining items later in the meeting.

### **IV. Peter Climo, DO – Failure to Comply w/the Terms of Consent Agreement**

Following their review of the materials and discussion with the licensee, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to reinstate the license based on the review of documentation of recent Continuing Medical Education presented.

### **V. Interview – Sean Breen, DO**

Dr. Rydell noted that Dr. Breen was a no-show for the scheduled interview regarding his application for licensure in Maine.

### **VI. Federation of State Medical Boards Representatives Lisa Robin and Donald Polk, DO**

Ms. Robin and Dr. Polk provided an overview of services offered by the FSMB and discussed several FSMB initiatives and recent improvements to several services including the Federations FCVS (Federation Credentials Verification Service) profile packet.

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

#### **A. Albert Amalfitano, DO**

Dr. Gaddis, Case Reporter, noted that the licensee had not practiced, due to ill health, very much over the past month and noted that his review of the appointment log and prescription pads indicated no issues of concern.

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

Following their review of the report submitted by his Primary Supervising Physician and a request from the licensee as well, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to table any decisions and to invite the licensee to attend an upcoming meeting to discuss, with the Board, the course he proposes or to take the course and talk with the Board about how it did or did not meet the expectations of the Board. Dr. Palman, Case Reporter, did not vote.

#### **C. Paul G. Gosselin, DO**

In the absence of Dr. Lauer, Case Reporter, no new issues of concern were reported. The Executive Secretary reported that the licensee's attorney had requested a copy of the July 2010 letter and list of providers for the required mental health exam (provider report was due on August 9<sup>th</sup>). AAG Carney will contact the licensee's attorney for an update.

#### **D. Inna LaBelle, DO**

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

**Continued from Page 2 of 5 – August 11, 2011 Minutes of the Board of Osteopathic Licensure Meeting**

**E. Bradley Libenson, DO**

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

**F. Stanley Painter, DO**

Dr. deKay, Case Reporter, noted no recent concerns and that he will provide a report of his review of the most recent medical records at the next meeting. No Board action was necessary.

**G. Michael Patnaude, DO**

Ms. McIntyre, Case Reporter, noted no new concerns. Board members reviewed and accept the monthly report from his counselor. No Board action was necessary.

**H. Charles Perakis, DO**

Dr. deKay, Case Reporter, noted no new concerns. Board members reviewed and accepted all monthly reports. No Board action was necessary.

**I. Natania Piper, DO**

Dr. Rydell, Case Reporter, noted no new concerns. Board members reviewed and accepted all monthly reports. No Board action was necessary.

**J. Craig Schiff, DO**

Dr. Thomas, Case Reporter, noted no new information or concerns and that to his knowledge, the licensee is not yet working. Board members reviewed monthly reports from the Medical Professionals Health Program.

**K. Lawrence P. Strohmeier, DO**

In the absence of Dr. Lauer, Case Reporter, no new concerns were noted. No Board action was necessary.

**L. Charles Sullivan, DO**

In the absence of Dr. Lauer, Case Reporter, no new concerns were noted. Board members noted that the August installment payment had not been received and asked that Det. Lizanecz check to see if the licensee is actually practicing and if he actually has a current patient base.

**VIII. Interview – Thor Agustsson, DO**

Following the interview with Dr. Agustsson who was invited to attend to discuss his application for permanent licensure, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to table further review of the application.

At this time, the Board continued its review of complaints and investigative updates (Page 1, Item III). Dr. Thomas recited the complaint review script. All complaint reviews were conducted in Public Session without the use of names, unless otherwise noted.

**III. Continued... Complaint/Investigation Reviews & Update**

**B. CR10-35 – Foreman/Dedrick**

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 Dr. deKay and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action.

**C. CR10-46 – Lastra/Greer**

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

**MOTION:** Made by Dr. Gaddis, seconded by Dr. deKay and voted unanimously to dismiss the complaint as the complainant did not follow through with the request for releases, etc. and the complaint did not rise to a level which would warrant further Board action.

**D. CR10-49 – Mulcahy/Hunt-King**

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

**MOTION:** Made by Dr. deKay, seconded by Dr. deKay, seconded by Dr. Palman and voted unanimously to dismiss the complaint but to issue a letter of guidance as the sale of products in the office is discouraged and borders on unprofessional conduct.

**E. CR11-01 – Grover/Rojecki (re: R Albert)**

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

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

**F. CR11-02 – Geria/Esancy**

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. Palman and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action.

**G. CR11-03 – Remalia/Carter**

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. Gaddis and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action.

**H. CR11-04 – Yetman/Daniello**

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

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

**I. CR11-06 – Morin/Whittington**

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

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

**J. CR11-08 – Libenson/Board Motion**

Following their review of the licensee's response and request for an Informal Conference, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to schedule an Informal Conference for the next scheduled meeting date. Dr. Palman, Case Reporter, did not vote.

**K. CR11-09 – Theobald/Penkul**

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

**Continued from Page 4 of 5 – August 11, 2011 Minutes of the Board of Osteopathic Board Meeting**

**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.

**L. CR11-21 – Carter/LeFay**

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

**MOTION:** Made by Mrs. Walker, seconded by Ms. McIntyre and voted unanimously to dismiss the complaint as the complainant did not follow through with the process and the complaint did not rise to a level which would warrant further Board action.

**M. INV11-05 – James Kneebone, DO**

Following their review of the investigative materials presented as well as medical records and prescription profiles, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to invite the licensee to attend an Informal Conference at the next scheduled Board meeting.

**IX. Review of Draft Health-Related Products Policy Language**

Following their review of the draft policy, Board members took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. Gaddis and voted unanimously to re-visit the previously proposed rule at a future meeting.

**X. Licensure Matters**

**A. Kaliope Parousis, DO – Monthly Chart Review Report**

Board members reviewed and accepted the monthly report submitted by Sandra Benanti, DO

**B. Permanent Licensure Applications – Circulated/Reviewed**

Following circulation and review, Board members took this action regarding permanent licensure applications:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted to issue permanent licensure to: Michael Chipman, DO, Anne Ruxton, DO, Janel Nielsen, DO, Daniel Kloda, DO, Refky Nicola, DO and Kendra Cornwall, DO

At this time, the Board voted (motion by Mrs. Walker, 2<sup>nd</sup> by Dr. Palman) to go into Executive Session, pursuant to 1 MRS §405(6)(E).

**XI. Michael Patnaude, DO**

AAG Carney updated the Board regarding the court case involving suits against individual Board members as opposed to the Board as a whole.

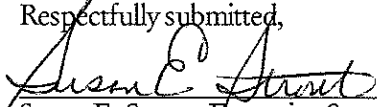
**XII. Cancellation of September 2011 Board Meeting**

Following discussion, the Board took the following action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to cancel the Board's September 2011 meeting.

The 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 October 13, 2011 Board Meeting – 9:30 a.m. – 3:15 p.m.**

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

Others Present: Susan E. Strout, Executive Secretary; Carrie L. Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Anthony Kozma, D.O.; Gail Lamb, D.O.; Janice Bradford; Phillip Coffin, Esquire

**I. Miscellaneous**

**A. August 2011 Board Meeting Minutes**

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

MOTION: Made by Dr. Palman, seconded by Dr. deKay and voted unanimously to approve the minutes of the August 2011 meeting as written. It was noted that there were no September 2011 minutes for review because there was no meeting.

**B. Revenue & Expense Report**

Board members reviewed and accepted the revenue & expense reports for the months of August & September 2011. The Executive Secretary noted that reports are now provided in a different format and that the change is an improvement.

**C. FSMB Matters**

**1. Board of Directors Meeting Highlights**

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

**2. Request(s) for Nominations**

Board members reviewed and discussed the requests. Dr. Rydell currently serves on one committee; other Board members noted an interest but indicated that time constraints would make it impossible to make the commitment.

**D. Medscape Article**

Dr. deKay asked that this article be included in the meeting book for discussion purposes. The article reported on physicians who had been indicted in the deaths of 4 patients due to the illegal prescribing of opioid analgesics and other controlled substances which led them to overdose. The Board discussed the problem of over/misprescribing. No Board action was necessary.

**E. Hospice News Network**

Board members reviewed and briefly discussed the newsletter. No Board action was required.

**F. Forum Invitation**

Board members reviewed an invitation to attend a 'Community Leader Forum to Reduce Prescription Drug Misuse' on Thursday, October 20<sup>th</sup>. Board members indicated that they were interested but none would be available.

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

**A. Albert Amalfitano, DO**

Dr. Gaddis, Case Reporter, noted no concerns with the appointment log and prescription pads he had reviewed for the month of September 2011.

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

Dr. Palman, Case Reporter, noted no concerns with the monthly reports from the licensee's Primary Supervising Physician (covering the months of August and September 2011). The Executive Secretary noted that the licensee would be invited to attend the November meeting for the Informal Conference voted by the Board. No Board action was necessary.

**C. Paul G. Gosselin, DO**

Dr. Lauer, Case Reporter, noted no new issues of concern. The Executive Secretary reported that the required report from an examiner, due on August 9<sup>th</sup>, had not been received. AAG Carney will contact the licensee's attorney for an update.

**D. Inna LaBelle, DO**

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

**E. Bradley Libenson, DO**

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

**F. Stanley Painter, DO**

Dr. deKay, Case Reporter, having reviewed the most recent PMP report, provided the Executive Secretary with a list of charts to be obtained for review prior to the November meeting. No Board action was necessary.

**G. Michael Patnaude, DO**

Ms. McIntyre, Case Reporter, noted no new concerns. Board members reviewed and accept the monthly report from his counselor. No Board action was necessary.

**H. Charles Perakis, DO**

Dr. deKay, Case Reporter, noted that monthly reports due had been received and noted that there was a concern and that it would be discussed at a later time in the meeting. No Board action was necessary.

**I. Natania Piper, DO**

Dr. Rydell, Case Reporter, noted no new concerns. Board members reviewed and accepted all monthly reports. No Board action was necessary.

**J. Craig Schiff, DO**

Dr. Thomas, Case Reporter, noted no new information or concerns and that to his knowledge, the licensee is not yet working. Board members reviewed monthly reports from the Medical Professionals Health Program. No other reports were present; the Executive Secretary will attempt to obtain reports for review at the November meeting and noted that the licensee has made significant efforts to ensure that reports on his behalf are submitted in a timely manner.

**K. Lawrence P. Strohmeier, DO**

Dr. Lauer, Case Reporter, noted a report of concern from one of the licensee's treatment providers as well as other information gathered by Detective Lizanecz. No action was taken at this point in the meeting.

**L. Charles Sullivan, DO**

Dr. Lauer, Case Reporter, noted no clinical care concerns but that neither the September or October installment payments, due on the 1<sup>st</sup> of each month, had been received. The Executive Secretary reported having contacted the attorney representing the licensee who responded that she would see to it the installment payments were made.

The licensee, having been given the option of having the following Informal Conference in Public or Executive Session, opted for Public, without the use of names.

**III. Informal Conference – INV10-09 – Anthony Kozma, D.O.**

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



**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to close the investigation as Board action was not warranted.

With all parties (the licensee, her attorney & the daughter of the patient) for the following Informal Conference present, the licensee was given the option of having the Conference in Public or Executive Session and the Board voted (Dr. Thomas, Ms. McIntyre), based on 32 M.R.S.A. §2591-A (1) to go into Executive Session. Once again in Public Session, the Board took this action:

**IV. Informal Conference – CR11-01 – Robert Grover, D.O./Jonathan Brogan, Esquire**

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to dismiss the complaint but to issue a Letter of Guidance regarding the need to be more thoughtful with regard to terminating patient relationships and to second opinions.

The following complaints were reviewed and discussed in Public Session, without the use of names, unless otherwise noted.

**V. Complaints & Investigations**

**A. CR11-07 – Kaufmann/Whitzell**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. Gaddis and voted unanimously to dismiss the complaint as it did not warrant Board action against the licensee as the treatment provided and suggestions/referrals given were all appropriate.

**B. CR11-11 – Gosselin/Eccher**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to dismiss the complaint as Board action against the licensee was not warranted as there was nothing in statute which would indicate the licensee could not access the Prescription Monitoring Program for information regarding the patient in question. Dr. Lauer, Case Reporter, did not vote.

**C. CR11-15 – Miller/Sorensen**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as Board action against the licensee was not warranted because the licensee provided appropriate treatment.

**D. CR11-17 – Blaik/Barker**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to invite the licensee to attend an Informal Conference in an effort to determine whether further Board action is warranted.

**E. CR11-18 – Gosselin/Benner**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Gaddis and voted unanimously to table any action on the complaint pending further investigation. Dr. Lauer, Case Reporter, did not vote.

**F. CR11-19 – Keller/Murphy (Mooers)**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to dismiss the complaint as Board action against the licensee was not warranted as the issue was more of a systems problem within the institution itself and to forward the complaint and other information to the Division of Licensing & Registration for review.

**G. CR11-22 – Giunti/Hall**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as Board action against the licensee was not warranted because the complainant had failed a urine test and the licensee had the right to dismiss him from his practice.

**H. CR11-24 – Goodman/Malcolm**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

**MOTION:** Made by Dr. Thomas, seconded by Mrs. Walker and voted unanimously to dismiss the complaint as Board action against the licensee was not warranted.

**I. INV10-08 – Walter Doerfler, D.O.**

Following review of a report from the Office of the Attorney General, medical records, other information from the Case Reporter and a discussion, Board members took this action:

**MOTION:** Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to close the investigation as Board action against the licensee was not warranted. Dr. Thomas, Case Reporter, did not vote.

**J. INV11-14 – John Kazilionis, D.O.**

Following their review of information received from the Office of the Attorney General, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. Thomas and voted unanimously to issue a letter of guidance regarding the confusion created for some patients with the sale of products in a doctor's office.

**K. INV11-15 – Walter Keller, D.O.**

Following their review of the reports submitted by the Maine Medical Professionals Health Program, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. deKay and voted unanimously to take no action but to keep the information on file.

At this time, Dr. Thomas, who has previously recused himself from participation in matters related to this licensee, left the meeting room.

**L. INV11-16 – Lawrence Strohmeier, D.O.**

Following their review of a report from the licensee's mental health provider, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to emergently suspend the licensee's license to practice in Maine pursuant to 5 MRS § 10004(3), based on unprofessional conduct pursuant to 32 M.R.S. § 2591-A(2)(F) and incompetence pursuant to 32 M.R.S. § 2591-A(2)(E)(1) and (2)] and to schedule an Adjudicatory Hearing within 30 days. Dr. Lauer, Case Reporter, did not vote.

Dr. Thomas returned to the meeting.



**M. INV11-18 – Jessica Bell, D.O.**

Following their review of a report submitted by the Maine Medical Professionals Health Program, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. Thomas and voted unanimously to close the investigation as Board action against the licensee was not warranted.

**N. INV11-10 – Peter Wilkinson, D.O.**

Following their review of a report submitted by the Maine Medical Professionals Health Program, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. Thomas and voted unanimously to table any action on the matter pending further investigation.

**O. INV11-21 – Charles Perakis, D.O.**

Following their review of a report from the licensee regarding his resignation from employment at MaineGeneral Medical Center, followed by a report from the institution itself, the Board took this action:

**MOTION:** Made by Dr. Lauer, seconded by Ms. McIntyre and voted unanimously to file a complaint on its own motion. Dr. deKay, Case Reporter, did not vote.

**VI. Licensure Matters**

**A. Permanent Licensure Applications**

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

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to approve the permanent licensure applications submitted by Ann Ehret, D.O., Adam Duquette, D.O., Dean Gallupe, D.O. and Ryan Smith, D.O.

**B. Kaliopé Parousis, D.O.**

Board members reviewed and accepted a report from Sandra Benanti, D.O. who reviews the charts prepared by the applicant (currently working with a Locum Tenens license).

**C. Katherine Grover, D.O.**

Board members noted correspondence between the licensee and the Executive Secretary. Based on the most recent correspondence from the licensee which indicated that she was unable to obtain the 45 Category II hours of Continuing Medical Education required to satisfy the Consent Agreement she entered into with the Board (in July), the Board instructed the Executive Secretary to notify the licensee that due to her failure to comply with the terms of the Consent Agreement, she is not licensed to practice and must return her current license card.

**D. Peter Elvin, PA & Dustin Sulak, DO**

The Executive Secretary noted that despite e-mails back and forth between the applicant and the Board office, no final corrected version of the applicants resume had been submitted and that he had not yet been authorized to practice under the supervision of Dr. Sulak.

**7. Adjournment**

The being no further business, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to adjourn 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 November 10, 2011 Board Meeting – 9:30 a.m. – 1:15p.m.**

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

Others Present: Susan E. Strout, Executive Secretary; Carrie L. Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Timothy Terranova, Consumer Assistant; Alfred B. Cichon, PAC; Robert Grover, DO; Jonathan Brogan, Esquire; Casey Onik, DO; Dustin Sulak, D.O.; Bradley Libenson, DO; Karen Wolf, Esquire; Angela Cole Westhoff, Executive Director, Maine Osteopathic Association; Ruta Dzenis; John Albert; Angela Rojecki.

**I. Miscellaneous**

**A. October 2011 Board Meeting Minutes**

Review of the minutes of the October 2011 meeting was tabled until the December 2011 meeting.

**B. Revenue & Expense Report**

Board members reviewed and accepted the revenue & expense report for the month of October 2011.

**C. Review of Draft Script for Informal Conferences**

Following their review of the draft script, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to accept the script for Informal Conferences as written, for immediate use.

**D. FSMB Matters**

**1. Request(s) for Committee Nominations**

Board members again reviewed and discussed the requests for nominations. Board members reiterated their interest but indicated that schedules and other time constraints make it impossible to make the commitment.

**2. Request for Award Nominations**

Board members reviewed the request and noted that there were no nominations they wished to submit.

**3. Board of Directors Meeting Highlights**

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

**4. Special Committee on Reentry into Practice Draft Report**

Board members discussed this report; Dr. Palman specifically noted many discussions he has participated in on this subject. No Board action was taken.

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

**A. Albert Amalfitano, DO**

In the absence of Dr. Gaddis, Case Reporter, the Executive Secretary reported have spoken with Dr. Gaddis and that he had no concerns with the appointment logs/prescription pads he had reviewed for the month of October 2011.

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

Dr. Palman, Case Reporter, noted no concerns with the monthly report from the licensee's Primary Supervising Physician covering the month of October 2011. As requested in October, copies of the past 6 monthly reports were included in the book and were reviewed. Additionally, Dr. deKay noted that the Primary Supervising Physician, Alexander Brazalovich, D.O. has resigned from the Board of the Maine Osteopathic Association due to new employment in Afghanistan. The



**Continued from Page 1 of 4 – November 10, 2011 Minutes of the Board of Osteopathic Licensure Meeting**

Executive Secretary noted an understanding that Susan Shaw, DO may be applying to serve as PSP and also that mention had been made of having a Dr. Tritch (M.D.) apply to serve in that capacity. AAG Carney made note that an amendment to the licensee's Consent Agreement would be necessary if there is a change in supervising physicians. The Executive Secretary noted that the licensee would be present at a later time in the meeting. No Board action was necessary at this time.

**C. Paul G. Gosselin, DO**

In the absence of Dr. Lauer, Case Reporter, no new issues of concern were raised. Board members reviewed and accepted the required report submitted by Robert A Riley, Psy.D. The Board then asked for an update regarding what else is due and when. AAG Carney responded that the licensee must take a course by December 31, 2011. Costs are due as well but the due date has not been specified because the Board Order is interlocutory – final costs and payment due date will part of the final order. The Executive Secretary will contact the licensee's attorney and request an update regarding the required course. Board members hope to see the matter on the agenda at the January 2012 meeting.

**D. Inna LaBelle, DO**

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

**E. Bradley Libenson, DO**

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

**F. Stanley Painter, DO**

Dr. deKay, Case Reporter, noted Det. Lizanecz's report regarding a visit to the licensee's home/office to follow up on the request for medical records (sent in October 2011) which had gone unanswered. The licensee reported having misplaced the letter and asked that it be re-sent via fax. Several concerns were raised during Det. Lizanecz's visit; Dr. deKay will talk with the licensee regarding the possibility of retirement. No Board action was taken at this time.

**G. Michael Patnaude, DO**

In the absence of Ms. McIntyre, Case Reporter, the Executive Secretary noted no new concerns. Board members reviewed all reports received to date and noted that the next report (covering November 2011) will be the final report due. No Board action was necessary.

**H. Charles Perakis, DO**

Dr. deKay, Case Reporter, noted that monthly reports due had been received and that the licensee remains unemployed. No Board action was necessary.

**I. Natania Piper, DO**

Dr. Rydell, Case Reporter, noted no new concerns. Board members reviewed and accepted all monthly reports. No Board action was necessary.

**J. Craig Schiff, DO**

Dr. Thomas, Case Reporter, noted reports received and that the licensee remains unemployed. Board members were notified that the DEA was looking for a determination from the Board as to whether or not the licensee should have his DEA registration renewed. Board members confirmed, as the DEA agent had been told, that the Board is responsible for licensing and can not provide such an analysis or opinion. Dr. deKay noted that the Board will not expect to find that any prescriptions have been written until such time as the licensee is employed.

**K. Lawrence P. Strohmeier, DO**

In the absence of the Case Reporter (Dr. Lauer), the Board noted the late receipt of a monthly report from one of the licensee's treatment providers. No action was taken – the licensee remains suspended from practicing in Maine.

**L. Charles Sullivan, DO**

In the absence of the Case Reporter (Dr. Lauer), no clinical care concerns were noted. The licensee's October & November installment payments remain outstanding; the Executive Secretary will touch base with the licensee's attorney.



**III. Alfred Cichon, PA-C – Meeting re Consent Agreement**

Mr. Cichon joined the meeting to discuss several issues surrounding his supervision and certain terms/requirements of his Agreement including but not limited to an alternative work site, a potential new Primary Supervising Physician (as Mr. Cichon noted that his current PSP, Alexander Brazalovich, D.O. would no longer be in that position as of November 28, 2011) and a proposed course. Following their review and a discussion, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to allow the licensee to take the proposed course even though it does not specifically address the concerns.

The licensee was encouraged to submit any requests for amendment(s) to his Consent Agreement, in writing, as soon as possible. Dr. deKay noted concern that this is the first course proposal to come to the Board's attention despite the fact that the Agreement has been in effect for nearly 3 years. Mrs. Walker noted a similar concern.

At this time, all parties for the following Informal Conference (licensee, his attorney and 2 of the patients' family members) were present. The licensee was offered the option of having the Conference in Public or Executive Session and based on his request, the Board voted (Dr. deKay, Mrs. Walker) to go into Executive Session based on 32 M.R.S.A. §2591-A (1). Dr. Rydell cited the Informal Conference script. Once again in Public Session, the Board took this action:

**IV. Informal Conference – CR11-01 – Robert Grover, D.O./Jonathan Brogan, Esquire**

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to dismiss the complaint but to issue a Letter of Guidance suggesting a more thoughtful response when patients (or family members on their behalf) terminate physician/patient relationships as well as to patients desire(s) for second opinions.

**V. Casey F. Onik, D.O.**

Dr. Onik joined the meeting at the Board's request for an interview to clarify his practice intentions in Maine as well as why he terminated his residency training (in August 2011) before completion. Following the discussion, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. deKay and voted to approve the permanent licensure application submitted by Casey Onik, D.O. Dr. Thomas was opposed to the motion.

**VI. Complaints & Investigations**

**A. CR11-10 – Gosselin/Strout**

Following review of the complaint, response, other information received and a discussion, Board members took this action:

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

**VII. Licensure Matters**

**A. Kaliope Parousis, D.O.**

Board members reviewed and accepted the second page of a report from Sandra Benanti, D.O. who mistakenly submitted only Page 1 of her September 2011 report. No updated report had been received as of the Board meeting date. The Executive Secretary noted that there was no specific due date other than monthly. The Executive Secretary further noted that the applicant's Locum Tenens license was due to expire on November 17<sup>th</sup>, prior to the next Board meeting. Following discussion, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to authorize Dr. Thomas to contact Dr. Benanti regarding her final report which must be received prior to November 17<sup>th</sup> for his review. Further, Dr. Thomas was authorized, pending the outcome of his review to approve the application submitted by Kaliope Parousis, D.O. If Dr. Thomas has concerns, he will bring them to the Board at the December 2011 meeting.



**B. Peter Elvin, PA – Application Update**

The Executive Secretary noted that the applicant had again contacted the Board to inquire about whether his license had been issued and if not, why not. Mr. Elvin was reminded of e-mails specifically stating discrepancies in his submissions which had not yet been corrected. No references had been received, to date. The Board then took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to table any action on the application and to make one final request for clarification of all requested information. If that information has not been received by the December meeting, the Board will need to consider other options.

**C. Permanent Licensure Applications**

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

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to approve the permanent licensure application submitted by Amer Skopic, D.O.

**MOTION:** Made by Dr. Thomas, seconded by Mrs. Walker and voted unanimously to approve the permanent licensure application submitted by Benjamin Branch, D.O.

At this time, the parties for the following Informal Conference (the licensee and his attorney) joined the meeting and the licensee was offered the option of having the Conference in Public or Executive Session. Based on his option for Public Session, the meeting remained open to the public. Following the conference, the Board took this action:

**VIII. Informal Conference – Bradley Libenson, D.O.**

**MOTION:** Made by Dr. deKay, seconded by Dr. Thomas and voted unanimously to table any action on the complaint pending another visit by Det. Lizanecz for the purpose of reviewing charts pursuant to the terms of the licensee's Consent Agreement with the Board. Dr. Palman, Case Reporter, did not vote.

Mrs. Walker commented to the licensee that the Consent Agreement is explicit that each chart must be signed by a chaperone and that the only way the Board will know for sure that he (the licensee) is compliant with the terms of his Agreement is if the initials are indeed in the chart. It was also clarified that a copy of the most recent New Hampshire Board action against this licensee was included in the meeting book because the licensee referred to it in his response to the Board.

**IX. Adjournment**

The being no further business, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Mrs. Walker and voted unanimously to adjourn at 1:15 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary

**Minutes of December 8, 2011 Board Meeting – 9:30 a.m. – 2:15p.m.**

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

Others Present: Susan E. Strout, Executive Secretary; Carrie L. Carney, Assistant Attorney General; Det. Peter Lizanecz, Office of the Attorney General; Alfred B. Cichon, PAC; Susan Shaw, DO; James Goggin, Esquire; Robert Blaik, DO; James Kneebone, DO; Lori Barker; Angela Chase, PAC; Todd Stapley DO; Amina Qazi, DO and Lena Witham, PAC

**I. Miscellaneous**

**A. October & November 2011 Board Meeting Minutes**

Following final review of the October minutes, the Board took this action:

**MOTION:** Made by Mrs. Walker, seconded by Dr. deKay and voted unanimously to accept the minutes of the October 2011 meeting as written.

**MOTION:** Made by Mrs. Walker, seconded by Dr. deKay and voted to accept the minutes of the November 2011 meeting with the following correction: Mrs. Walker (not Ms. McIntyre) seconded the motion to adjourn the meeting (**Item IX– 11/10/11 minutes**).

**B. Revenue & Expense Report**

Board members reviewed and accepted the revenue & expense report for the month of November 2011.

**C. Hospice Network News**

Board members reviewed and discussed several articles in the newsletters. No Board action was taken.

**D. FSMB Matters**

There were no specific issues for review or discussion at this meeting.

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

**A. Albert Amalfitano, DO**

Dr. Gaddis, Case Reporter, noted no concerns with the appointment logs/prescription pads reviewed for the first half of November 2011 (datebook and Rx pads not yet received for 2<sup>nd</sup> half of November 2011).

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

Dr. Palman, Case Reporter, noted receipt of the November 2011 report from the licensee's Primary Supervising Physician who no longer serves in that capacity effective November 28, 2011 due to a new employment opportunity. Dr. Palman reported that he had spoken with the licensee regarding the Executive Secretary's letter stating that he was not authorized to practice until such time as a new Primary Supervising Physician had applied and was approved by the Board. Board members briefly reviewed and noted questions regarding the application submitted and the proposed Written Plan of Supervision. It was noted that Mr. Cichon's proposed new primary will be present at a later time during this meeting.

**C. Paul G. Gosselin, DO**

Dr. Lauer, Case Reporter, noted that the licensee had not yet taken the ethics and boundary violations course required by his Interlocutory Board Order and that a request for an update had been sent to the licensee's attorney with no response received, to date. Dr. Lauer will attempt to determine whether or not the requirements have/have not been met and if not, what the licensee proposes to bring things into compliance as soon as possible.

## **Continued from Page 1 of 4 – December 8, 2011 Minutes of the Board of Osteopathic Licensure Meeting**

At this time, the Board suspended its review of Consent Agreement matters to hold one of the scheduled interviews.

### **III. Interviews for Registration**

#### **A. Lena (Morin) Witham, PAC & Amina Qazi, DO**

Following their interview, the Board took this action:

**MOTION:** Made by Dr. Palman, seconded by Dr. deKay and voted unanimously to approve the applications submitted by Mrs. Witham and Dr. Qazi.

The Executive Secretary was asked to double check that the signatures of secondary supervising physicians are on file.

#### **B. Angela Chase, PAC & Todd Stapley, DO**

Following their interview, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Dr. Lauer and voted unanimously to approve the applications submitted by Ms. Chase and Dr. Stapley.

#### **C. Alfred Cichon, PAC & Susan S. Shaw, D.O.**

Following the interview with Dr. Shaw and Mr. Cichon, the Board took this action:

**MOTION:** Made by Dr. deKay, seconded by Ms. McIntyre and voted unanimously to approve Dr. Shaw as Mr. Cichon's new Primary Supervising Physician (replacing Alexander Brazalovich, D.O.). AAG Carney was authorized to draft a Consent Agreement incorporating the change. Dr. Palman, Case Reporter, did not vote.

At this time, the licensee, his attorney and the complainant joined the meeting and the Board voted (Dr. Palman, Dr. Lauer) to go into Executive Session, based on 32 M.R.S. §2591-A (1). Once again in Public Session, the Board took this action:

### **IV. Informal Conference – Robert Blaik, D.O. & James Goggin, Esquire – CR11-17**

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Lauer and voted to enter into a Consent Agreement which would include a censure. Dr. Palman was opposed to the motion.

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

#### **D. Inna LaBelle, DO**

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

#### **E. Bradley Libenson, DO**

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

#### **F. Stanley Painter, DO**

Following review of a report submitted by Dr. deKay, Case Reporter, as well as verbal update from Det. Lizanecz, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Mrs. Walker and voted unanimously to issue a license suspension for 30 days with a hearing to follow in January. Dr. deKay, Case Reporter, did not vote.

#### **G. Michael Patnaude, DO**

Ms. McIntyre, Case Reporter, noted receipt of the final report due and that the licensee had complied with all terms of his Board Order.

## Continued from Page 2 of 4 – December 8, 2011 Minutes of the Board of Osteopathic Licensure Meeting

### H. Charles Perakis, DO

Dr. deKay, Case Reporter, noted that monthly reports due had been received and that the licensee remains unemployed. No Board action was necessary.

### I. Natania Piper, DO

Dr. Rydell, Case Reporter, noted no new concerns. Board members reviewed and accepted all monthly reports. No Board action was necessary.

### J. Craig Schiff, DO

In the absence of the Case Reporter (Dr. Thomas) no concerns were noted; the licensee remains unemployed.

### K. Lawrence P. Strohmeier, DO

Dr. Lauer, Case Reporter, noted the late receipt of a monthly report from one of the licensee's treatment providers. No action was taken – the licensee remains suspended from practicing in Maine.

### L. Charles Sullivan, DO

Dr. Lauer, Case Reporter, noted no clinical care concerns. The licensee's October, November & December installment payments remain outstanding; the Executive Secretary will again touch base with the licensee's attorney.

Unless otherwise noted, the review of all complaints is conducted in Public Session without the use of names.

## V. Complaints & Investigations

### A. CR09-41A – Ray/Prue (re C McAdam)

Following review of the complaint, response, other information received and a discussion, Board members took this action:

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

### B. CR11-35 – Fein/Carter

Following review of the complaint, response, other information received and a discussion, Board members took this action:

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

## VI. Licensure Matters

### A. Permanent Licensure Applications

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

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to approve the permanent licensure applications submitted by John Mongan, D.O., Eugene Lesser, D.O. and Niloufar Salehi, D.O.

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to table action on the application submitted by Anthony-Osei Safo, D.O. pending additional references.

### B. Peter W. Elvin, PA

Following review of the packet which did not include any additional information, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. deKay and voted unanimously to table any action on the application for 60 days because the required documentation had not been provided. The Board will review the matter one more time, at the February 9 2012 meeting and if no additional information has been received, will take action on the application at that time.

**Continued from Page 3 of 4 – December 8, 2011 Minutes of the Board of Osteopathic Licensure Meeting**

At this time, the Board voted (Drs. DeKay, 2<sup>nd</sup> by Dr. Palman) to go into Executive Session, based on 32 M.R.S. §2591-A (1). Once again in Public Session, the Board took this action:

**VII. Informal Conference – James Kneebone, D.O. – INV11-05**

**MOTION:** Made by Dr. deKay, seconded by Dr. Palman and voted unanimously to dismiss the complaint but to issue a Letter of Guidance cautioning the licensee of the need to be aware of all Board statutes and rules, in this instance, particularly the rule regarding self-prescribing.

**VIII. Election of Officers**

Following a report from the nominating committee, the Board took this action:

**MOTION:** Made by Dr. Gaddis, seconded by Dr. deKay and voted unanimously to retain the same slate of officers, as follows: David Rydell, D.O., Board Chair; Marty W. McIntyre, Public Member, Vice-Chair and Scott Thomas, D.O., Board Secretary

**IX. Adjournment**

The being no further business, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Palman and voted unanimously to adjourn at 2:15 p.m.

Respectfully submitted,

Susan E. Strout, Executive Secretary