

Maine Board of Osteopathic Licensure
142 State House Station
161 Capitol Street
Augusta, ME 04333-0142
Phone: (207) 287-2480/Fax: (207) 536-5811

Minutes of January 11, 2018 Board Meeting – 9:30 a.m. – 11:30 a.m.

Members Present: Scott Thomas, DO, Chair; John Brewer, DO; Marty McIntyre, Public Member; John Gaddis, DO; Brian Gillis, DO. Members excused: Melissa Michaud, PA-C, Vice-Chair; Ryan Smith, DO

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Detective James Gioia, Office of the Attorney General; Amanda Richards, Maine Osteopathic Association

Before beginning the business of the meeting, Dr. Thomas welcomed Brian Gillis, DO as the newest member of the Board.

I. Complaints & Investigations

Complaint reviews are conducted in Public Session without the use of names, unless otherwise noted. Dr. Thomas recited the Complaint Script.

A. CR2017 47

Following a thorough review of the complaint and the complainants written request to withdraw her complaint, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Thomas and voted to approve the complainant's request to withdraw the complaint with no further action warranted. The Case Reporter was not present.

B. CR2017 49

Following a thorough review of the complaint and the complainants written request to withdraw his complaint, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted to approve the complainant's request to withdraw the complaint with no further action warranted. Ms. McIntyre, Case Reporter, did not vote.

C. IN2017 29

Following review and discussion regarding the material available at this time, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to require a mental health evaluation, and to further investigate by obtaining medical records as discussed and to determine where the licensee is currently employed.

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

A. Kevin Kenerson, DO

The Executive Secretary noted that the appointment book for determining records for review is anticipated any day. Dr. Gaddis, newly assigned Case Reporter, asked that copies of all materials be provided to him upon receipt of the appointment schedule so that he can re-familiarize himself with the issues. No action necessary.

III. Minutes/Revenue & Expense Reports

A. October & November 2017 Meeting Minutes

Following review, the Board took this action:

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MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted to approve the minutes of the October & November 2017 meetings as written.

B. Revenue & Expense Reports

The December 2017 report, provided by DAFS¹, was not yet available for review; will be provided at the February 2018 meeting.

IV. Miscellaneous

A. FSMB² Annual Meeting Notice/Scholarship Information

Following review and discussion, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to send the Board's Consumer Assistance Specialist, Savannah Okoronkwo (in place of the Executive Secretary) and one Board member (to be determined) to serve as the Board's Voting Delegate. The FSMB's Annual Meeting will take place in Charlotte, NC, April 26 – 28, 2018. The Federation provides two scholarships to cover travel expenses, etc. for the voting delegate and Board Exec or other staff if the Board Exec cannot attend.

B. FSMB Draft Reports & Guidelines

a. Structure & Function of a State Medical Board

Board members reviewed and considered the information but took no action.

b. Regeneration & Stem Cell Therapy Practices

Board members reviewed and considered the information but took no action.

c. Physician Compounding

Board members reviewed and considered the information but took no action.

d. Physician Wellness & Burnout

Board members reviewed and considered the information but took no action.

e. Prescription Drug Monitoring Programs

Board members reviewed and considered the information but took no action.

C. Discussion re: April 2018 Meeting at UNE/COM³

Board members discussed holding the April 2018 meeting at UNE but decided to delay holding another meeting there until probably October 2018 since the Board just met there in December. Setting the date will be discussed again at a future meeting.

V. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Dr. Gaddis, seconded by Dr. Thomas and voted unanimously to approve the permanent licensure application submitted by Nicholas Pozzessere, D.O.

¹ Division of Administrative & Financial Services

² Federation of State Medical Boards

³ University of New England, College of Osteopathic Medicine

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B. Physician Assistant Applications

There were no completed PA applications for circulation and review.

VI. Adjournment

A motion to adjourn was made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to adjourn the meeting at 11:30 a.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure
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Minutes of April 12, 2018 Board Meeting – 9:30 a.m. – 2:45 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Detective James Gioia, Office of the Attorney General; Amanda Richards, Maine Osteopathic Association; Emily Bloch, Esquire; Carl Woock, Esquire; Chris Jackson; Paul Schneider, Michael Heniser, D.O.

I. Complaints & Investigations

Complaint reviews are conducted in Public Session without the use of names, unless otherwise noted. Dr. Thomas recited the Complaint Script.

A. CR2017 17

Following a thorough review of the complaint, written response and other documentation submitted, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted to further investigate and order a substance misuse evaluation, have Det. Gioia make further attempts to interview individuals noted in the complaint, review 5-10 patient charts chosen from a current Prescription Monitoring Profile, and further investigate the allegation regarding prescribing stimulants. Dr. Thomas, Case Reporter, did not vote.

B. CR2017 25

Because the Case Reporter had not yet had an opportunity to fully review certain documentation, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Thomas and voted to table review of this matter until the May 2018 meeting. Ms. McIntyre, Case Reporter, did not vote.

Before the review began, Dr. Gaddis disclosed that the licensee who is the subject of the next matter formerly worked in the area where he practices but that he did not know him and never worked with him.

C. IN2017 29

Following a lengthy discussion regarding the materials before them, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Smith and voted unanimously to issue a complaint regarding unprofessional conduct and a diagnosis which has or may result in the licensee performing services in a manner that endangers the health or safety of patients. Ms. McIntyre was opposed.

D. CR2017 30

Following their review of the licensee's response to the complaint issued by the Board, members took this action:

MOTION: Made by Ms. Michaud and seconded by Dr. Gillis to dismiss the complaint as the license is no longer practicing or licensed in Maine. Motion failed with only Ms. Michaud and Dr. Gillis in favor.

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Following discussion, this motion was made:

MOTION: Made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to offer the former licensee a Consent Agreement whereby she would agree, based on allegations of unprofessional conduct, never to again apply for a license to practice medicine in the State of Maine.

E. CR2017 36

Following their review of the licensee's response to the complaint issued on the Board's own motion as well as relevant medical records, the Board took this action:

MOTION: Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to dismiss the complaint as once everything was reviewed, it did not rise a level which would warrant action against the licensee's ability to practice in Maine. Dr. Gaddis, Case Reporter, did not vote.

F. CR2017 46

Following their review of the complaint, the licensee's response and the medical records received, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to dismiss the complaint as it did not merit further Board action. Dr. Gaddis, Case Reporter, did not vote.

G. CR2017 50

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

MOTION: Made by Ms. McIntyre, seconded by Dr. Gillis and voted to dismiss the complaint as it did not rise to a level which would warrant action against his license to practice medicine in Maine. Dr. Thomas was opposed to the motion. Dr. Brewer, Case Reporter, did not vote.

H. CR2017 51

Following review of the complaint, response 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 merit further Board action. Ms. Michaud, Case Reporter, did not vote.

J. IN2018 03

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

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to further investigate and request that the licensee respond to several questions.

K. CR2018 04

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

MOTION: Made by Ms. Michaud, seconded by Dr. Thomas and voted unanimously to dismiss the matter as the licensee was not an applicant or licensed in Maine at the time of the alleged conduct. No Case Reporter had been assigned.

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

A. Paul Gosselin, D.O.

Board members reviewed a request from Dr. Gosselin, whose license remains suspended, to have the suspension lifted. Following discussion, the Board took this action:

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MOTION: Made by Ms. Michaud, seconded by Dr. Gaddis and voted unanimously to deny the request to lift the license suspension.

B. Kevin Kenerson, DO

Dr. Gaddis, having reviewed the records received, noted while most records were compliant, one was of concern and asked that the licensee provide evidence of a narcotics contract, a prescription monitoring profile, pill counts and urine screens etc. for that one patient for a period of one year. The Executive Secretary will reach out to the licensees' attorney.

Item 1.C. Continued from Page 1

1.C. CR2017 29

This matter was discussed and voted on earlier in the meeting. Meanwhile, the licensee submitted a request for reconsideration. This was presented to the Board and this action was taken:

MOTION: Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to decline the licensee's request for reconsideration of the Board's vote to issue a complaint. Dr. Brewer, Case Reporter, did not vote.

III. Minutes/Revenue & Expense Reports

A. December 2017 and January 2018 Meeting Minutes

Following review, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Thomas and voted to approve the draft minutes of the December 2017 meeting with one change – note that following the meeting it was learned that December was the final meeting for Joseph deKay, D.O. whose seat was filled by Brian Gillis, D.O. Dr. deKay had served on the Board for approximately 20 years. The motion also included approval of the January 2018 minutes, as written.

B. Revenue & Expense Reports

The December 2017, January and February 2018 reports, provided by DAFS¹, were reviewed and accepted.

IV. Miscellaneous

A. Review of Revised MPHP² Protocols and Contract Rider A

Following review and discussion, the Board took this action:

MOTION: Made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to approve the Medical Professionals Health Program protocols and Rider A.

B. Letter from Guy Cousins, LCSW – New Clinical Director of MPHP

Board members reviewed and noted the letter. No Board action was necessary; Board members look forward to meeting him at the annual MPHP presentation during the summer months.

C. Review of Draft Revisions to Rule Chapter 10 – Sexual Misconduct Rule

Board members reviewed the proposed changes to the draft rules and asked that the matter be placed on the May agenda for review along with a marked copy so that differences could be noted. Board members discussed the preference that the Board's return to the practice of a committee of members of the Boards working together on potential changes to be presented to both Boards for review as opposed to changes being made by one and passed along for review and comment after the fact.

¹ Division of Administrative & Financial Services

² Medical Professionals Health Program

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D. Draft Revisions to Rule Chapter 2 – Physician Assistants

Board members, having previously reviewed and commenting, reviewed the final draft and took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted unanimously to accept the revised language of the proposed rule and to proceed with initiating the rulemaking process.

E. Request for Board Opinion re: Anesthesiologist Assistants

Board members, having reviewed this same request at their December 2017 meeting, again declined, based on legal advice, to render an advisory opinion on the matter of licensing anesthesiologists' assistants.

F. NBOME Invitation to Spring 2018 Visitation Day

Board members reviewed the invitation. No action was taken.

G. Request for Consideration of Laptops/Online Meeting Materials

Board members reviewed the request from the Executive Secretary and following discussion, took this action:

MOTION: Made by Dr. Brewer, seconded by Dr. Thomas and voted to proceed to 'Move It' for the secure transmission of meeting materials and future rental of laptops to take the place of paper. Dr. Gaddis was opposed.

The Executive Secretary noted that this will all take some time to put in place.

H. Proposed Revisions to Board Policies re: Applications for Licensure – Handout

Board members reviewed and discussed the Executive Secretary's suggested updates to the current policies regarding applications and took this action:

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to approve the policy updates as drafted. The Boards website will be updated as will the Uniform Application instructions.

I. Board Member Educational Seminar

Board members noted the seminar notice with several stating they would be unable to attend due to practice schedules and surgical commitments.

J. Federation of State Medical Boards

Board members reviewed and discussed the following materials. No Board action was necessary. Dr. Thomas, who will be the Board's voting delegate at the Annual FSMB meeting in Charlotte, NC later this month noted several matters of particular interest.

1. Resolutions to the 2018 House of Delegates
2. Board Reports
3. Report of the Bylaws Committee
4. Revised Report of the Nominating Committee
6. Board of Directors Meeting Highlights

K. Legislation

Board members noted updates to the following LDs:

1. LD565 – this bill was vetoed;
2. LD1267 – this bill was signed into law;
3. LD1278 – this bill was vetoed;
4. LD1735 – this bill was vetoed;
5. LD1819 – this bill is dead;
6. LD1822 – this bill is dead.

V. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Dr. Gaddis, seconded by Dr. Brewer and voted unanimously to approve the permanent licensure applications submitted by Scott Drummond, D.O.; Michael Burla, D.O.; Marisa Burla, D.O.; Jillian Gregory, D.O.; Jocelyn Langevin, D.O.; Thayanne Delima-Tokarsz, D.O.; Denise Anderson, D.O.; Gail Fancher, D.O.; Laura Marlowe-Flanagan, D.O.; Joelle Gagnon, D.O.; Julie McDonald, D.O.; Michael McElhinney, D.O.; Patrick Mailloux, D.O. and, Jacques Reynolds, D.O.

Following a brief discussion regarding the following applications, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Gillis and voted unanimously to approve the applications submitted by Emilynne Buchanan, D.O. and Joseph Vigue, D.O.

B. Physician Assistant Applications

MOTION: Made by Ms. McIntyre, seconded by Dr. Gillis and voted unanimously to approve the application submitted by Jeanne Stewart, PA-C who will work with David McDermott, M.D.

VI. Adjournment

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

Respectfully submitted,



Susan E. Strout, Executive Secretary

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Minutes of May 10, 2018 Board Meeting – 9:30 a.m. – 11:15 a.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Detective James Gioia, Office of the Attorney General; Emily Bloch, Esquire; Christopher Taintor, Esquire.

The meeting began with a quorum of four (4) members; Drs. Gaddis & Gillis were not yet present.

I. Complaints & Investigations

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

Dr. Gaddis joined the meeting during the reading of the script.

A. CR2017 25

Following a thorough review of the materials presented during which included psychiatric records forwarded on behalf of the licensee, the Board took this action:

MOTION: Made by Dr. Brewer, seconded by Dr. Gaddis and voted unanimously to uphold the Board's November decision to require that the licensee must undergo a comprehensive neuropsychological evaluation including a substance misuse evaluation. Ms. McIntyre, Case Reporter, did not vote.

B. IN2018 11

Following a lengthy discussion regarding the investigative materials presented based on an anonymous call to the Board office regarding partially burned and tattered identifiable medical records strewn about a parking lot and into the woods, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Brewer and voted unanimously to issue a complaint regarding unprofessional conduct (including but not limited to violation of patient confidentiality, medical ethics, etc.). Ms. Michaud, Case Reporter, did not vote.

Dr. Brewer thanked Det. Gioia for his clear and concise work and photos regarding this case. Ms. McIntyre asked that Det. Gioia re-visit the site to be sure that the records have been cleaned up.

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

A. Paul Gosselin, D.O.

The licensee continues to be suspended from practice; no information.

B. Kevin Kenerson, DO

Dr. Gaddis, not having received the requested records for review, noted no current concerns and will hope to report on his review of the requested records at the June 2018 meeting.

III. Minutes/Revenue & Expense Reports

A. April 2018 Meeting Minutes

Review of the minutes was tabled until the June meeting.

B. Revenue & Expense Reports

The March 2018 reports, provided by DAFS¹, were reviewed and accepted.

At this time, Dr. Gillis joined the meeting.

IV. Miscellaneous

A. Review of Draft Revisions to Joint Rule Chapter 10 (Sexual Misconduct)

Following review and discussion, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to move forward with the rulemaking process.

B. Review of Draft Joint Rule Chapter 12 – Office Based Tx of Opioid Use Disorder

Following a request from Ms. McIntyre that the Boards meet to discuss future changes to joint rules, a subcommittee will work on this rule draft. Ms. McIntyre and Dr. Brewer volunteered to participate. Representatives from the Boards of Nursing and Medicine will participate.

C. Request for Clarification re: Joint Chapter 21

The Maine Medical Association requested clarification of some parts of Chapter 21. Following their review, the Board asked that the MMA outline the specific portions of the rule with which they are concerned in order that the Board can better address the concerns.

D. Update re: LD1267 – An Act to Protect Licensing Information of Medical Professionals

Board members were updated that this LD was vetoed by the Governor, placed in the Legislative files and considered 'Dead'.

E. MMPHP Updated Brochure/Board Referral Form

Board members reviewed the updated brochure and the referral form. No Board action was necessary.

V. Licensure Matters

A. Review of Correspondence from Gretchen Preneta, PA-C

Board members reviewed and discussed Ms. Preneta's request to switch her license from the Board of Osteopathic Licensure to the Board of Licensure in Medicine due to concern that individuals verifying license status do not always check both medical board websites. Board members took no action regarding the request. Both medical Boards are working on updates to the Agency Licensure Management System (ALMS) search engines for the Boards.

B. Permanent Licensure Applications

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

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to approve the permanent licensure applications submitted by Paul Alessi, D.O.; Shahriar Anoushfar, D.O.; Wendell Bulmer, D.O.; John Diefenderfer, D.O.; Aimee Beaton, D.O.; Perri Huitt, D.O.; Vanessa Katon, D.O.; Eric Lubiner, D.O.; Donald McNally, D.O.; Janie Nguyen, D.O.;

¹ Division of Administrative & Financial Services

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Steven Swancoat, D.O.; Sarah Tomasz, D.O.; Barry Turek, D.O. and Heather Westemeyer, D.O.

C. Physician Assistant Applications

There were no PA applications ready for review.

VI. Adjournment

A motion to adjourn was made by Ms. McIntyre, seconded by Dr. Brewer and voted unanimously to adjourn the meeting at 11:15 a.m.

Respectfully submitted,


Susan E. Strout, Executive Secretary

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Minutes of June 14, 2018 Board Meeting – 9:30 a.m. – 11:45 a.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Detective James Gioia, Office of the Attorney General; Michael Cunniff, Esquire; Michael Heniser, D.O.; Peter Michaud, Maine Medical Association.

I. Complaints & Investigations

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

Ms. McIntyre joined the meeting during the reading of the script. Dr. Smith joined the meeting during the discussion phase of CR2017 29.

A. CR2017 29

Following a thorough review of the licensees' response to the Board's complaint as well as other materials provided, the Board took this action:

MOTION: Made by Ms. McIntyre to set the matter for an adjudicatory hearing with an offer of a consent agreement for probation for one year, requiring continued mental health therapy with quarterly reports to the Board from the therapist, and a requirement that the licensee participate in sexual harassment training approved by the Case Reporter. Receiving no second, the Board then took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted to dismiss the complaint and issue a Letter of Guidance contingent upon receipt of a letter from the licensee representing that he will continue mental health treatment in accordance with the recommendations contained in evaluations, work on interpersonal relationships and patient care, complete sexual harassment training, and engage a mentor for future employment relationships. The licensee must also agree to heed any recommendations made by his therapist. Ms. McIntyre was opposed; Dr. Brewer, Case Reporter, did not vote.

B. CR2018 08

Following review and a lengthy discussion regarding the complaint, response and rebuttal, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Brewer and voted unanimously to table further review of this complaint pending further investigation. Dr. Gaddis, Case Reporter, did not vote.

C. CR2018 18

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

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to issue a complaint on the Board's own motion regarding alleged violations of Board Rule Chapter 16 (Prescribing & Treatment of Self & Family and to subpoena the billing records from the patient's insurer.

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

A. Kevin Kenerson, DO

Dr. Gaddis, having reviewed the requested records, noted no additional concerns at this time.

III. Minutes/Revenue & Expense Reports

A. April 2018 Meeting Minutes

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

MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted unanimously to accept the April 2018 minutes as written.

B. Revenue & Expense Reports

The April 2018 reports, provided by DAFS¹, were reviewed and accepted.

IV. Miscellaneous

A. Letter of Clarification re: Joint Chapter 21 Questions

Board members briefly discussed the letter and were advised by AAG Miller that a workgroup meeting to review the draft Chapter 12 rule (Regarding Office Based Treatment of Opioid Use Disorder) is scheduled for June 25th and that in addition, the workgroup will review comments received regarding Chapter 21 (Use of Controlled Substances for Treatment of Pain). The Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted unanimously to refer the letter to the work group.

B. Review of SMHC² Physician Group Letter re Public Law Chapter 308

Board members reviewed a letter from a physician group at Southern Maine Healthcare regarding Public Law Chapter 308 (which addresses collaborative practice agreements between pharmacists and practitioners) and the fact that Collaborative Practice rules based upon that law have been only promulgated by the Boards of Pharmacy and Licensure in Medicine. AAG Miller explained the background to the rulemaking, and advised that the statutory language defines practitioner as 'an individual who is licensed, registered or otherwise authorized in the appropriate jurisdiction to prescribe and administer drugs in the course of professional practice' which includes osteopathic physicians, and that therefore there is no need for the Board of Osteopathic Licensure engage in rulemaking specific to this issue.

C. FSMB³ Board of Directors Meeting Highlights

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

D. MPHP⁴ 2017 Annual Report

Board members reviewed and briefly discussed the report. The Executive Secretary noted the MPHP has reached out regarding the annual presentation to the Board which will probably be scheduled in July or August.

V. Licensure Matters

A. Permanent Licensure Applications

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

¹ Division of Administrative & Financial Services

² Southern Maine HealthCare

³ Federation of State Medical Boards

⁴ Medical Professionals Health Program

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MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted unanimously to approve the permanent licensure applications submitted by Andrea Jergesen, D.O.; Hareesh Gadde, D.O.; Jeremy Wright, D.O.; Clifford Fields, D.O.; Amanda Roberts, D.O.; Michelle Geyer Thompson, D.O.; Linda Cuning, D.O.; Monica Thim, D.O.; Stephen D'Aquino, D.O.; Graeme McHenry, D.O.; Elise Fazio, D.O.; Jamie Collard, D.O.; Bradley Binsfeld, D.O.

This included Samantha Deming-Berr, D.O. upon receipt of her corrected medical school transcript (on which the school had made an error and re-did and mailed but not received in time for the meeting). The license can be issued upon receipt of correct material

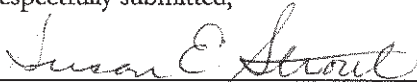
B. Physician Assistant Applications

There were no PA applications ready for review.

VI. Adjournment

A motion to adjourn was made by Dr. Gaddis, seconded by Dr. Brewer and voted unanimously to adjourn the meeting at 11:45 a.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Susan E. Strout", written in dark ink. The signature is fluid and connected, with a long horizontal stroke at the end.

Susan E. Strout, Executive Secretary

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Minutes of August 9, 2018 Board Meeting – 9:30 a.m. – 12 noon

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Det. James Gioia, Office of the Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Elizabeth Olivier, Esquire; Jennifer Rush, Esquire; Amanda Richards, Operations Manager, Maine Osteopathic Association; Michael Cunniff, Esquire.

I. Complaints & Investigations

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

Dr. Gillis joined the meeting during the reading of the script.

A. CR2018 06

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

MOTION: Made by Dr. Thomas, seconded by Dr. Smith and voted unanimously to dismiss the complaint with a Letter of Guidance regarding anchor bias when an older patient presents with a difficult diagnosis i.e., head pain, lesions in the ear and pain distribution to cranial nerves because there could well be a totally different diagnosis. Ms. Michaud, Case Reporter, did not vote.

B. CR2018 10

Following a thorough review and discussion regarding the complaint, response, rebuttal and medical records, the Board took this action:

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

The Board requested that the licensee provide the Board with any written consent(s) associated with the care of the patient in advance of the informal conference.

C. CR2018 11

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

MOTION: Made by Dr. Thomas, seconded by Dr. Gillis and voted unanimously to invite the licensee to attend an Informal Conference to discuss the management of records disposal. Ms. Michaud, Case Reporter, did not vote.

D. CR2018 12

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

MOTION: Made by Dr. Smith, seconded by Dr. Smith and voted unanimously to table for further

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investigation, including obtaining urine drug screen test results for the same time period. Dr. Gillis, Case Reporter, did not vote.

E. CR2018 13

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

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted unanimously to dismiss the complaint as it did not merit further investigation or review. Dr. Smith, Case Reporter, did not vote.

F. CR2018 16

Following review of the complaint and communications between the licensee and the Board's Executive Secretary, the Board took this action:

MOTION: Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to have Mrs. Strout make one final attempt at obtaining the licensee's response, letting her know that the Board looks forward to receipt of her response. Dr. Smith, Case Reporter, did not vote.

G. CR2018 17

Board members reviewed feedback regarding the dismissal of the noted complaint. No Board action was necessary.

At this time, the Board voted (Dr. Smith, Ms. Michaud) to go into Executive Session based on 1 MRS 405(6)(E) for consultation with its attorney concerning the legal rights and duties of the Board and/or pending or contemplated litigation.

Once again in Public Session, the Board declined to take any action requested by the licensee except that the Board took this action following discussion regarding the request to vacate a subpoena:

H. CR2018 18

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted unanimously to continue the Board's investigation into the above-noted complaint and to deny the request to vacate the subpoena. The Board determined that the evidence requested related with reasonable directness to a matter in question, was not unreasonable or oppressive, and was issued within a reasonable period in advance of when the evidence was requested. Dr. Thomas, Case Reporter, did not vote.

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

A. Kevin Kenerson, DO

In the absence of Dr. Gaddis (Case Reporter), the Executive Secretary noted having received no new information or concerns.

B. Paul Gosselin, D.O.

It was noted that Dr. Gosselin's license suspension ended on August 5, 2018. No Board action was necessary.

III. Minutes/Revenue & Expense Reports

A. July 2018 Meeting Minutes

The July meeting minutes were not quite ready for review – no Board action was necessary.

B. Revenue & Expense Reports

The June 2018 reports, prepared and provided by DAFS¹, were reviewed and accepted.

IV. Miscellaneous

A. Discussion re: Annual Regulatory Agenda

Board members did not add potential rulemaking endeavors for 2019; the agenda will be submitted on Friday, August 10th.

B. FSMB Matters

There were no matters specific to the Federation of State Medical Boards.

V. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Dr. Gillis, seconded by Ms. Michaud and voted unanimously to approve the permanent licensure applications submitted by Mario Serafini, D.O.; Jennifer Horne, D.O.; William C. McDougall, D.O., Joseph Bell, D.O., Craig Benson, D.O. & Yrene Holmes, D.O.

B. Physician Assistant Supervision – Citation and Fine

Following review of information from the Board of Licensure in Medicine regarding a physician assistant to whom a citation was issued for late submission of paper work, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted to issue a citation (pursuant to Board rule) to a physician assistant's primary supervising physician due to late notification of supervision of a physician assistant. Dr. Thomas opposed the motion.

C. Physician Assistant Applications

No PA applications were ready for review.

VI. Adjournment

A motion was made by Dr. Gillis, seconded by Dr. Smith and voted unanimously to adjourn the meeting at 12 noon.

Respectfully submitted,



Susan E. Strout, Executive Secretary

¹ Division of Administrative & Financial Services

Minutes of October 11, 2018 Board Meeting – 9:30 a.m. – 2:30 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Det. James Gioia, Office of the Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Guy Cousins, Director, Maine Medical Professionals Health Program¹ (hereafter 'MPHP'); Heidi LaMonica, BS, Operations Manager, MPHP; Amy Tardy, PhD, MPHP; Robert Turner; UNE Students and/or Faculty: Jessica Smith, Leah Pearl, James Komex, Travis Mann, Samuel Stratton, Valerie Pendleton, Ben Thomas, Masilabaraz Ahmed, Kevin Jalil, Daniel O'Connell, Kerm Lee, Kristin Merome, Jennifer Masaridi, Matt Smoot, Keating Pepper, Maria Jones, Emily Silverstein, Paul Imbriano

In the absence of the Complaint Script which is generally read at the start of a meeting, Dr. Thomas spoke to the audience regarding the importance of understanding that there is a licensing process and real people behind the title 'Board'. He then explained the process of complaint reviews, no audience participation and the options available to the Board following their initial review of a complaint. Dr. Thomas also spoke about the Federation of State Medical Board and their involvement with this and other state licensing Boards across the country.

I. Complaints & Investigations

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

A. CR2018 14

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

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant action against the licensee. Dr. Gillis recused himself from participation in the review or vote. Dr. Thomas, Case Reporter, did not vote.

B. CR2017 25

Following an overview and discussion regarding this matter by the Case Reporter including the recommendations made by the psychologist who performed the evaluation ordered by the Board, this action was taken:

MOTION: Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to set the matter for an Adjudicatory Hearing and to offer a Consent Agreement. Ms. McIntyre, Case Reporter, did not vote.

C. CR2018 06

Following an overview of this matter by AAG Miller and review of and a discussion regarding a request to reconsider their August 2018 vote to dismiss this complaint and issue a Letter of Guidance, the Board took this action:

¹ MPHP – Medical Professionals Health Program

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MOTION: Made by Dr. Gillis, seconded by Ms. McIntyre and voted unanimously to rescind the Letter of Guidance and to dismiss the complaint based on additional information brought to their attention. Ms. Michaud, Case Reporter, did not vote.

D. CR2018 07

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

MOTION: Made by Ms. Michaud, seconded by Dr. Brewer and voted unanimously to invite the licensee to attend an Informal Conference at a future meeting and to require the licensee to provide in advance all documentation previously requested but not provided. Dr. Smith, Case Reporter, did not vote.

E. CR2018 08

This matter was tabled.

F. CR2018 12

Following review of additional records requested regarding this complaint which was first reviewed in August, the Board took this action:

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

G. IN2018 19

Dr. Smith, Case Reporter, provided an overview of the investigative material received, to date. Following review and discussion, Board members took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted to continue the investigation, and request counseling reports. In addition, the licensee shall provide either a recently completed psychological evaluation or shall undergo a psychological evaluation required by the Board. Dr. Smith, Case Reporter, did not vote.

H. CR2018 21

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

MOTION: Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant action against the licensee. Dr. Gillis recused himself from participation in both the review and vote. Dr. Brewer, Case Reporter, did not vote.

I. CR2018 28

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

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

J. CR2018 31

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

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

K. IN2018 33

Following thorough review and discussion of the report received, the Board took this action:

MOTION: Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to further investigate and to obtain additional information from the reporting agency. Dr. Brewer, Case Reporter, did not vote.

II. Annual MPHP² Presentation – Guy Cousins, LCSW, LADC, CCS

Mr. Cousins, accompanied by MPHP staff Heidi LaMonica and Amy Tardy, provided an overview of his background, the program itself and the complex work done with licensees of multiple health-related licensing boards in Maine. Dr. Tardy and Ms. LaMonica noted the different forms utilized by the MPHP and related participant success stories and that several have offered to provide their testimony to others regarding the help they received through the program. Dr. Thomas extended his appreciation for the work done by the program and for the time taken to drive to UNE for the presentation.

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

A. Kevin Kenerson, DO

In the absence of Dr. Gaddis (Case Reporter), the Executive Secretary noted having received no updated information or concerns.

B. Paul Gosselin, D.O.

Board members reviewed and discussed a request from the licensee for approval of a job offer from an out of state addiction treatment provider acting as practice monitor. Following discussion and review of the materials submitted, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Brewer and voted to deny the licensee's request, as the proposed monitor is both out of state and not a Maine licensed physician. Additionally, clinical competency is of concern because the licensee has not practiced medicine in two or more years. The Board will need to see a clinical competency assessment done by an entity such as CPEP³, successful completion of the SPEX⁴ exam and a written reentry to practice plan that specifies professional oversight by a physician currently practicing in the same specialty.

IV. Minutes/Revenue & Expense Reports

A. July & August 2018 Meeting Minutes

Following review, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted to approve the minutes of the July and August 2018 meetings, as written. Dr. Brewer voted but noted he was not present for the July minutes so his vote would only be for August.

B. Revenue & Expense Reports

Board members reviewed and accepted the July 2018 revenue and expense reports generated by DAFS⁵. The August 2018 reports were not yet available; they will be provided at the November 2018 meeting.

² Medical Professionals Health Program

³ Center for Personalized Education for Professionals

⁴ Specialized Purpose Examination

⁵ Division of Administrative & Financial Services

IV. Miscellaneous

A. Rulemaking Matters

1. Chapter 10 – Update re: Revisions to Sexual Misconduct Rule

The Executive Secretary circulated a copy of Governor LePage's note on the proposed rule indicating that he is unwilling to sign off on revisions to the rule and would prefer that the Boards wait for review by the next governor.

2. Review of Chapter 12 – Office-Based Opioid Treatment

Following review of the draft rule and discussion with the Board members who participated in the workgroup (Ms. McIntyre & Dr. Brewer), the Board took this action:

MOTION: Made by Dr. Thomas, seconded by Ms. McIntyre and voted unanimously to proceed to the full rule-making process.

B. FSMB Matters

1. Board of Directors Meeting Highlights

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

2. First Call for Bylaws Amendments

Board members reviewed and briefly discussed potential amendments to the bylaws. No action was taken.

3. First Call for Nominations

Board members reviewed and discussed whether any member(s) would have the time to participate on the various committees. No action was taken.

C. Licensee Information Currently Provided on Board Website

The Executive Secretary relayed a consumer inquiry regarding why full addresses (as opposed to city, state and zip) are not provided for licensees of this Board. It was noted that most licensing boards do not provide this information. Following discussion amongst the Board members, it was determined that the information provided on the website is sufficient. The Board is not required to provide this information on its website.

D. Requested Revisions to Reference Requirements

The Executive Secretary explained to Board members that references were starting to come in via third parties, often difficult to read and not necessarily current. Board members approved changes in requirements as requested to ensure that references received are current, legible and received directly from the writer.

V. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Dr. Thomas, seconded by Ms. Michaud and voted unanimously to approve the permanent licensure applications submitted by Sophia Adams, D.O.; Crystal Alvarez, D.O.; Jaret Copeman, D.O.; Cody Davis, D.O.; Katie Dejong, D.O.; Staci Hartman, D.O.; Christina Mimikos, D.O.; Kristina McElhinney, D.O.; Kasey Moss, D.O.; Andrea Pham, D.O.; Mary Richmond, D.O.; Jason Rosen, D.O.; Monica Sharma, D.O. and Gary Shintani, D.O.

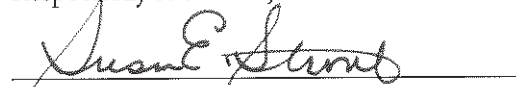
C. Physician Assistant Applications

No PA applications were ready for review.

VI. Adjournment

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Susan E. Strout", is written over a horizontal line.

Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure
142 State House Station
161 Capitol Street
Augusta, ME 04333-0142
Phone: (207) 287-2480/Fax: (207) 536-5811

Minutes of November 8, 2018 Board Meeting – 9:30 a.m. – 2:30 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Det. James Gioia, Office of the Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Kelly Hoffman, Esquire; Amanda Richards, Director of Operations, Maine Osteopathic Association; Jennifer Rush, Esquire.

Dr. Thomas recited the Complaint Script.

I. Complaints & Investigations

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

A. CR2018 08

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

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

B. CR2018 16

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

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

C. CR2018 20

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

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

D. CR2018 26

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

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

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

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

A. Kevin Kenerson, DO

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

IV. Minutes/Revenue & Expense Reports

A. October 2018 Meeting Minutes

The October minutes were not yet ready for review.

B. Revenue & Expense Reports

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

IV. Other Business

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

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

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

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

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

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

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

V. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Dr. Thomas, seconded by Dr. Gillis and voted unanimously to approve the permanent licensure applications submitted by Michael Duzan, D.O., Steven Louvet, D.O., Paul Segal, D.O., and Michael Welvaert, D.O.

B. Physician Assistant Applications

No PA applications were ready for review.

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

¹ Division of Administrative & Financial Services

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

VI. Informal Conference – CR2018 10

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

Adjournment

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

Respectfully submitted,



Susan E. Strout, Executive Secretary

Maine Board of Osteopathic Licensure
142 State House Station
161 Capitol Street
Augusta, ME 04333-0142
Phone: (207) 287-2480/Fax: (207) 536-5811

Minutes of December 13, 2018 Board Meeting – 9:30 a.m. – 12:30 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Michael Miller, Assistant Attorney General; Det. James Gioia, Office of the Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Molly Gilligan, Esquire; Amanda Richards, Director of Operations, Maine Osteopathic Association; Pamela Wansker, D.O.; Emily Bloch, Esquire; Elizabeth Olivier, Esquire.

Dr. Thomas welcomed James V. Pisini, D.O. as the newest member of the Board. Dr. Pisini, a Board-Certified anesthesiologist, practices in southern Maine.

Dr. Thomas then recited the Complaint Script.

I. Complaints & Investigations

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

A. CR2018 22

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

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

B. CR2018 23

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

MOTION: Made by Dr. Thomas, seconded by Dr. Gaddis and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant action against the licensee and to include, with the dismissal letter, a copy of the AMA Code of Ethics regarding the use of chaperones. Dr. Gaddis, Case Reporter, did not vote.

C. CR2018 24

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

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

D. CR2018 35

Following review of the complaint, licensee's response and the rebuttal, the Board took this action:

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

II. Informal Conference - CR2018 10

At this time, Dr. Thomas welcomed the licensee and legal counsel to the upcoming Informal Conference and as requested by the licensee and counsel, the Board voted (Ms. McIntyre, 2nd by Dr. Brewer) to go into Executive Session (pursuant to 32 MRS §2591-A (1)). Once again in Public Session, (Dr. Thomas, 2nd by Ms. McIntyre), the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Dr. Gillis and voted unanimously to dismiss the complaint filed on the Board's own motion as appropriate actions have been taken to ensure that the error made which brought this matter to the Board's attention will not be repeated. The Case Reporter, Ms. Michaud, was not present for the meeting.

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

A. Kevin Kenerson, DO

Dr. Gaddis, Case Reporter, noted no concerns but did bring up a letter from the licensee's attorney in which a request for termination was made. Following discussion, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to deny the request to amend or terminate the Consent Agreement.

IV. Minutes/Revenue & Expense Reports

A. October & November 2018 Meeting Minutes

These minutes were not yet finalized and ready for review.

B. Revenue & Expense Reports

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

IV. Other Business

A. Draft Changes to Chapter 21 – Use of Controlled Substances for Tx of Pain

Following review of the final draft which had been reviewed previously, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to proceed to rule-making.

B. FSMB² Board of Directors Meeting Highlights

Board members reviewed the meeting highlights; no Board action was necessary.

V. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Dr. Thomas, seconded by Dr. Gillis and voted unanimously to approve the permanent licensure applications submitted by Karen Farris, D.O., Brian Lee, D.O., Althea Lindsay, D.O., Jonathan Peters, D.O., O'Neal Vaz, D.O.; Matthew Walvick, D.O. and Windy Wyatt, D.O.

¹ Division of Administrative & Financial Services

² Federation of State Medical Boards


B. Physician Assistant Applications

No PA applications were ready for review.

VI. Adjournment

A motion was made by Dr. Gillis, seconded by Ms. McIntyre and voted unanimously to adjourn the meeting at 12:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Susan E. Strout", is written over a horizontal line.

Susan E. Strout, Executive Secretary