

Maine Board of Osteopathic Licensure
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Minutes of August 12, 2021 (In Person & Live Streamed) Board Meeting – 9:30 a.m. – 12 noon

Members Present: Melissa Michaud, PA-C, Board Chair; James Pisini, DO; John Brewer, DO, Board Secretary; Peter Michaud, Public Member; Marty McIntyre, Public Member; Brian Gillis, DO; Rebecca Vose, PA-C. Members Excused: Christine Munroe, DO; Lisa Ryan, DO and John Gaddis, DO

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General, Office of the Attorney General; Nikolette Alexander, Consumer Assistance Specialist; Det. Michael Durham, Office of the Attorney General; Amanda Richards, Maine Osteopathic Association; Emily Bloch, Esquire; Kenneth Lehman, Esquire;

Complaint and investigative reviews are held in Public Session without the use of names unless otherwise noted. Ms. Michaud welcomed everyone back to in-person meetings, recited the complaint script and noted that the meeting was also live-streaming.

I. Review of Complaint and Investigative Matters

Mr. Michaud recused himself from participation at the time and left the meeting room.

A. CR2021 19 – Dr. Gaddis, Case Reporter (unable to attend)

Following a thorough review and discussion, Board members took this action:

MOTION: Made by Ms. McIntyre, seconded by Ms. Michaud and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant any action against the licensee. Dr. Gaddis was not present for the meeting; Mr. Michaud was recused; all others in favor.

Mr. Michaud returned to the meeting room prior to the start of the following matter.

B. IN2021 24 – Dr. Gaddis, Case, Case Reporter

Because not all materials needed for review had been received, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to table the matter for review at the next scheduled meeting of the Board. As previously noted, Dr. Gaddis, Case Reporter, was not present.

C. IN2021 26 – Mr. Michaud, Case Reporter

Once again, not all materials were received in time for review and the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Dr. Pisini and voted unanimously to table the matter for review at the next scheduled meeting of the Board. Mr. Michaud, Case Reporter, abstained.

D. Andrew Candelore, DO – Consent Agreement Compliance

Ms. McIntyre, Case Reporter, noted her concern that the proposed monitoring physician, despite his experience as a physician and an impressive Curriculum Vitae, may not be an appropriate candidate for this situation as there has been indication he is not currently in practice. The Executive Secretary will seek

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confirmation that he has been working recently and will run a PMP to determine whether there has been recent prescribing of controlled substances. The Board then took this action:

MOTION: Made by Dr. Brewer, seconded by Dr. Pisini and voted unanimously to conditionally approve the proposed monitor pending further information regarding current work and recent prescribing.

II. Minutes/Revenue & Expense Reports

A. Review of June & July 2021 Draft Meeting Minutes

Following review of the draft minutes for June and July 2021, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to accept the minutes of the June and July 2021 meeting as written.

B. Review of June & July 2021 Revenue & Expense Reports¹

Board members reviewed and accepted the revenue and expense reports for the months of June & July 2021.

III. Old/New Business

A. Review of Joint Rule Chapter 11 – Telehealth Standards of Practice

Following review of the rule, as proposed, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to move forward with publishing the rule for public comment.

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

Following review of the rule, as proposed, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. McIntyre and voted unanimously to move forward with publishing the rule for public comment.

C. Review of Rule Chapter 3 – Supervision of Physician Extenders

Following review and discussion, the Board took this action:

MOTION: Made by Ms. Michaud, seconded by Ms. Vose and voted unanimously to accept the recommendation of the Review Committee to delete this outdated rule and to move forward with publishing the rule for public comment.

D. Review of Rule Chapter 16 – Prescribing and Treatment of Self & Family Members

Following review and discussion, the Board took these actions:

MOTION: Made by Dr. Gillis, seconded by Mr. Michaud and voted unanimously to propose eliminating section D of the rule (and re-numbering sections as is customary).

¹ Department of Administrative & Financial Services

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MOTION: Made by Dr. Brewer, seconded by Ms. Michaud and voted unanimously to move forward with the proposed changes to this rule including those in the prior motion and to publish the rule for public comment.

E. Interstate Medical Licensure Compact – Statistical Reports

The Board reviewed the reports provided by the IMLC. These were informational and required no Board action.

F. VeriDoc License Verification Service

The Executive Secretary noted the difficulty in recent months with licensing boards stating they have not received license verifications which have been sent multiple times, often via e-mail with read receipts – many Boards are short-staffed and admit to having trouble keeping up. Multiple copies are being sent to assist licensees, but it is becoming quite time-consuming. The Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Gillis and voted unanimously to authorize the Executive Secretary to proceed with obtaining a final cost estimate to set up and utilize the VeriDoc system and to bring the estimate back to the Board at the next meeting.

At this time, the Board began its Public Hearing regarding ‘Board Member Remote Participation in Public Proceedings’ (Public Law Chapter 290). Comment was received from one remote participant, who indicated support for the policy.

IV. 10:30 a.m. – Public Hearing & Discussion – Draft Policy re Public Law Chapter 290

Following the hearing, during which the Board reviewed the draft policy, the Board took this action: ,

MOTION: Made by Dr. Pisini, seconded by Dr. Gillis and voted unanimously to adopt the policy with new language in Section 3 proposed by the Assistant Attorney General.

V. 11 a.m. – Informal Conference – CR2021-13 – Executive Session

At this time, the Board voted (Dr. Pisini, second by Ms. McIntyre) to go into Executive Session as requested by the licensee; it was confirmed that the signed Waiver had been received. Once again in Public Session (Ms. McIntyre, second by Ms. Michaud), the Board took this action:

MOTION: Made by Dr. Gillis, seconded by Ms. McIntyre and voted to dismiss the complaint as it did not warrant Board action against the licensee. Motion carried with 4 in favor and 2 opposed (Dr. Brewer and Mr. Michaud). Dr. Pisini, Case Reporter, abstained.

VI. Licensure Matters

A. Permanent Licensure Applications

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

MOTION: Made by Ms. McIntyre, seconded by Mr. Michaud and voted unanimously to approve the applications submitted by: Adam Karpman, DO; Michelle Montgomery, DO; Daniel North, DO; Bo Pang, DO; Sapna Pithwa, DO; Michael O’Neal, DO; Samantha Arnold, DO and Rose Snyder, PA-C.

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At this time, Board members discussed the fact that although there was a meeting in September 2020 due to certain rulemaking deadlines and an urgent matter, this is not the case for 2021. Following discussion, the Board members agreed to forego a September meeting as had been the practice for many years. The next meeting of the Board will be Thursday, October 14, 2021. A process is in place for review of applications for those whose applications that are completely ready and have specific employment dates between meetings.

V. Adjournment

The meeting was adjourned, via unanimous vote, at 12 noon.

Respectfully submitted,

Susan E. Strout, Executive Secretary