

Minutes of January 13, 2022 Board Meeting – 9:30 a.m. – 12 noon

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

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General, Office of the Attorney General; Det. Michael Durham, Office of the Attorney General; Michael Landrum, DO; Emily Bloch, Esquire; Peter Somerville and Diane Johanson, Esquire

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

I. Review of Complaint and Investigative Matters

A. CR2021 34 – Dr. Brewer, Case Reporter

Dr. Brewer provided an overview of the case and following discussion, the Board took this action:

MOTION: Made by Dr. Gaddis and seconded by Ms. Michaud with the vote, via roll call, being unanimous to dismiss the complaint and issue a letter of guidance regarding informed consent and the importance of discussing the risks and benefits of procedures. Dr. Brewer, Case Reporter, abstained from voting.

B. CR2021 39 – Mr. Michaud, Case Reporter

AAG Wilson noted that the licensee had signed the Consent Agreement authorized by the Board. The Board then took this action:

MOTION: Made by Ms. McIntyre and seconded by Dr. Brewer with the vote, via roll call, being unanimous to accept the Consent Agreement as drafted by AAG Wilson and signed by the licensee. Mr. Michaud, Case Reporter, abstained from voting.

C. CR2021 40 – Dr. Ryan, Case Reporter

In the absence of Dr. Ryan, AAG Wilson provided an overview of the complaint and following discussion, Board members took this action:

MOTION: Made by Ms. McIntyre and seconded by Mr. Michaud with the vote, via roll call, being to table any action on this matter pending further investigation, including but not limited to, interviews by the Board's investigator.

D. CR2021 42 – Dr. Gaddis, Case Reporter

Dr. Gaddis provided an overview of the case and following discussion, the Board took this action:

MOTION: Made by Dr. Gillis and seconded by Dr. Munroe with the vote, via roll call, being unanimous to dismiss the complaint as it did not rise to a level which would warrant further Board action. Dr. Gaddis, Case Reporter, abstained from voting.

E. IN2021 26 – Mr. Michaud, Case Reporter

Mr. Michaud provided an overview of the investigation and following discussion, the Board took this action:

MOTION: Made by Dr. Pisini and seconded by Ms. McIntyre with the vote, via roll call, being unanimous to close the investigation Mr. Michaud, Case Reporter, abstained from voting.

F. Elliot Gruen, DO – Dr. Brewer, Case Reporter

Dr. Brewer briefly updated the Board that he had approved Jeffrey Barkin, MD to serve as the licensee's practice monitor. No Board action was necessary.

II. Minutes/Revenue & Expense Reports

A. December 2021 Draft Meeting Minutes

Following review, the Board took this action regarding the December meeting minutes:

MOTION: Made by Ms. McIntyre and seconded by Dr. Gaddis with the vote, via roll call, being unanimous to approve the minutes of the December 9, 2021 meeting.

B. Review of Current Revenue & Expense Reports¹

Board members reviewed the revenue and expense reports for FY 22, Period 5. No Board action necessary.

III. Old & New Business/Miscellaneous

A. Federation of State Medical Boards Information ('FSMB')

1. **2022 Annual FSMB Meeting** – Ms. Vose noted that she plans to attend virtually;
2. **Draft Report re Appropriate Use of Telemedicine Technologies in the Practice of Medicine**

Board members reviewed and briefly discussed the report, noting the upcoming review of Joint Rule Ch. 11. No Board action was necessary.

B. FDA Letter re Modified Risk Evaluation & Mitigation Program re: Clozapine

Board members reviewed and briefly discussed the letter; no Board action was necessary.

C. Review of Chapter 11² Draft Basis Statement & Draft Response to Comments

Board members reviewed and discussed both the draft basis statement and draft response to comments, noting and agreeing with suggestions/changes made by the Board of Licensure in Medicine (BOLIM). The Board then took this action:

MOTION: Made by Ms. McIntyre and seconded by Ms. Michaud with the motion carrying with 8 members in favor of approving the draft basis statement and r and draft responses to comments regarding proposed Rule Chapter 11 with suggestions/changes made following BOLIM's review earlier in the week and to move forward for public comment. Mr. Michaud abstained from voting.

¹ Reports are generated by the Department of Administrative & Financial Services

² Telehealth Standards of Practice

Continued from Page 2 of 4 – January 13, 2022 Osteopathic Board Meeting Minutes

D. Review of Chapter 12³ Draft Basis Statement & Draft Response to Comments

Board members reviewed and discussed both the draft basis statement and draft response to comments, noting and agreeing with suggestions/changes made by the Board of Licensure in Medicine (BOLIM). The Board then took this action:

MOTION: Made by Ms. McIntyre and seconded by Dr. Gaddis with the motion carrying with 8 members in favor of approving the draft basis statement and draft responses to comments regarding Rule Chapter 12 with suggestions/changes made following BOLIM's review earlier in the week and to move forward for public comment. Mr. Michaud abstained from voting.

IV. Licensure Matters

A. Review of Collaborative Agreements

1. Rose Snyder, PA-C w/John Garrett, DO

Following review and discussion, the Board took this action:

MOTION: Made by Ms. McIntyre and seconded by Ms. Michaud with the motion carrying with 7 members in favor of approving the collaborative agreement between Ms. Snyder and John Garrett, DO. Drs. Munroe & Gaddis abstained from voting.

2. Aaron White, PA-C w/Gary Rivard, DO

Following review and discussion, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Brewer with the motion carrying with 7 members in favor of approving the collaborative agreement between Mr. White and Gary Rivard, DO. Drs. Munroe & Gaddis abstained from voting.

B. Permanent Licensure Applications

Following review and discussion, the Board took these actions regarding applications:

MOTION: Made by Ms. McIntyre and seconded by Dr. Brewer with the vote, via roll call, being unanimous to table action on the application submitted by Sonia Diaz, DO pending verification of receipt of required materials.

MOTION: Made by Ms. McIntyre and seconded by Mr. Michaud with the vote, via roll call, being unanimous to table action on the application submitted by Sara Hundertmark, DO pending receipt of an explanation regarding the conflicting 'no' answer on the application regarding malpractice.

MOTION: Made by Ms. McIntyre and seconded by Dr. Brewer with the vote, via roll call, being unanimous to approve the permanent licensure applications submitted by Mazen Abbas, DO; Anthony Shabro, DO, Arpan Tolia, DO; Nicholas Ballard, DO; Aldo Calvo, DO; Amanda Cardella, DO.

³ Office Based Treatment of Opioid Use Disorder

Continued from Page 3 of 4 – January 13, 2022 Osteopathic Board Meeting Minutes

Item 1.A., Page 1 of 4

At this time, the Executive Secretary noted that the Board had not voted on the length of time for the letter of guidance voted in CR2021 34 to be retained on file. Following discussion, the Board took this action:

MOTION AMENDED by Ms. Michaud and seconded/accepted by Ms. McIntyre with the vote, via roll call, being unanimous to retain the letter of guidance on file for a period of 5 years. Dr. Brewer, Case Reporter, abstained from voting.

V. Adjournment

The meeting was adjourned (motion by Ms. McIntyre and seconded by Dr. Brewer), via unanimous roll call vote, at 12 noon.

Respectfully submitted,

Susan E. Strout, Executive Secretary