

**Minutes of July 14, 2022 Board Meeting – 9:30 a.m. – 1:39 pm**

Members Present: Melissa Michaud, PA-C, Board Chair; John Brewer, D.O., Board Secretary; Marty McIntyre, Public Member; Peter Michaud, Public Member; Christine Munroe, D.O.; Brian Gillis, D.O.; Rebecca Vose, PA-C. Board members excused: John Gaddis, D.O.; Lisa Ryan, D.O.

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General, Office of the Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Det. Lauren Edstrom, Office of the Attorney General; Jennifer Riggle, Esquire; Elizabeth Olivier, Esquire; Molly Gilligan, Esquire; Kelsey MacDonald, DO; Emily Bloch, Esquire and Elizabeth Campbell, Esquire

**I. Complaints**

**A. CR2021 49**

Mrs. Strout noted that the final draft Decision & Order in this matter had not yet been received. The Board took this action:

**MOTION:** Made by Ms. McIntyre and seconded by Ms. Michaud with the roll call vote being unanimous to table review of this document pending receipt of the final document from the hearing officer.

**B. CR2021 07**

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

**MOTION:** Made by Ms. McIntyre and seconded by Ms. Vose with the roll call vote being unanimous to table further action on this matter and to request further records (prior as well as current) patient records for review. Dr. Brewer, Case Reporter abstained from voting.

**C. CR2021 35**

Following their review as well as an overview from the Case Reporter, the Board took this action:

**MOTION:** Made by Dr. Brewer and seconded by Ms. Vose with the roll call vote being unanimous to dismiss the matter as it did not rise to a level which would warrant further Board action. The Case Reporter was not present/no longer a member of the Board.

**D. CR2021 45**

Following their review of the communication received, Board members noted that they stood by their original motion and vote to dismiss this matter.

**E. CR2021 46**

Following their review of the communication received, Board members noted that they stood by their original motion and vote to dismiss this matter.

**F. CR2022 03**

Following their review of the matter and an overview from Dr. Munroe, Case Reporter, Board members took this action:

**Continued from Page 1 of 4 – July 14, 2022 Osteopathic Board Meeting Minutes**

**MOTION:** Made by Mr. Michaud and seconded by Ms. Vose with the roll call vote being unanimous to dismiss the matter as it did not rise to a level which would warrant further Board action. The Case Reporter abstained from voting.

**G. CR2022 10**

Following their review of the matter and an overview from Ms. McIntyre, Case Reporter, Board members took this action:

**MOTION:** Motion made by Ms. Michaud and seconded by Dr. Brewer with the roll call vote being unanimous to invite the licensee to attend an Informal Conference at a future meeting. The Case Reporter abstained from voting.

**Investigations**

**A. IN2017 14**

Following their review of the matter and an overview from Dr. Gillis, Case Reporter, the Board took this action:

**MOTION:** Made by Ms. McIntyre and seconded by Mr. Michaud with the roll call vote being unanimous to issue a complaint on the Board's own motion for non-disclosure of his past history of Board actions taken by two other licensing jurisdictions. The Case Reporter abstained from voting.

**B. IN2022 19**

Following their review of the matter and an overview from Ms. McIntyre, Case Reporter, the Board took this action:

**MOTION:** Made by Mr. Michaud and seconded by Ms. Vose with the roll call vote being unanimous to file a complaint on the Board's own motion and to require a mental health evaluation, pursuant to statute. The Case Reporter abstained from voting.

**C. IN2022 28**

Following review and discussion, the Board took this action:

**MOTION:** Made by Ms. McIntyre and seconded by Mr. Michaud with the roll call vote being unanimous to file a complaint on the Board's own motion and to require a mental health evaluation as allowed by statute. A Case Reporter had not yet been assigned.

**D. IN2022 30**

Following review and discussion, the Board took this action:

**MOTION:** Made by Dr. Gillis and seconded by Dr. Munroe with the motion via roll call vote being to close the investigation with Ms. McIntyre, Dr. Gillis, Ms. Michaud, Dr. Munroe and Ms. Vose in favor of the motion. Mr. Michaud opposed. Dr. Brewer, Case Reporter, abstained from voting.

**II. Compliance Matters**

**A. Andrew Candelore, DO**

Following review of the information received from the licensee regarding semi-retirement, the Board took this action:

**MOTION:** Made by Dr. Brewer and seconded by Mr. Michaud with the roll call vote being unanimous to offer an amendment to the licensee's Consent Agreement to forego monitoring for now with the

## Continued from Page 2 of 4 – July 14, 2022 Osteopathic Board Meeting Minutes

understanding that he must notify the Board if he accepts a job offer in the future. Ms. McIntyre, Case Reporter, abstained from voting.

### **B. Elliot Gruen, DO**

The Board reviewed the information received from mentoring/monitoring physician. No Board action was necessary.

## **III. Minutes/Revenue & Expense Reports**

### **A. June 2022 Meeting Minutes**

Review of the June 2022 minutes was tabled until the August 2022 meeting.

### **B. Review of Revenue & Expense Reports<sup>1</sup>**

The revenue and expense reports for FY22, Period 12 were not yet available.

## **IV. Other Business**

### **A. Review of Letter from Maine Senators**

Board members reviewed the letter regarding COVID misinformation but noted that no response was required.

### **B. Review of Governor Mills Executive Order #4**

Board members noted the Executive Order regarding (An Order Protecting Access to Reproductive Health Care Services in Maine) but that no Board action was necessary.

### **C. Review of PSAN<sup>2</sup> & IPI<sup>3</sup> Reports**

Board members noted the reports regarding patient safety and informed patient information but noted that no Board action was required.

### **D. Maine Professionals Health Program Annual Report**

Board members, having reviewed the annual report, took note but no Board action was necessary.

### **E. NBOME<sup>4</sup> Licensure Assessment Report**

Board members, having reviewed the report, took note but no Board action was necessary.

### **F. Procedures & Development**

Ms. Michaud noted that a training regrading adjudicatory hearings would be beneficial to all and would like to see that scheduled in the fall if at all possible. Policy/guidelines regarding licensees utilizing chaperones was discussed and the Executive Secretary was asked to gather information for review in the future. The Board also discussed additional materials to help orient new Board members. There was also mention of diversity, equity and inclusion guidelines.

### **G. Election of Officers – August Meeting**

With Dr. Pisini, who was the Vice Chair, being replaced following the June meeting, the Board will need to do an election in August. Ms. McIntyre will serve as the Nominating Committee.

## **V. Federation of State Medical Boards (FSMB) Matters**

Board members took note of each of the reports provided, as follows. No Board action was necessary.

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<sup>1</sup> Department of Administrative & Financial Services

<sup>2</sup> Patient Safety Action Network

<sup>3</sup> Informed Patient Information

<sup>4</sup> National Board of Osteopathic Medical Examiners

**Continued from Page 3 of 4 – July 14, 2022 Osteopathic Board Meeting Minutes**

- A. Brief Update re 2022 Annual Meeting – Ms. Vose & Ms. Okoronkwo
- B. Resolution 22-2 – License Portability (proposed by WA Medical Commission)
- C. Report of Diversity, Equity & Inclusion Workgroup
- D. Report of Emergency Preparedness & Response Workgroup
- E. Report of Ethics & Professionalism Committee
- F. Report of Telemedicine Workgroup

**VI. Licensure Matters**

**A. Jeffrey Ficano, DO**

Board members reviewed the re-entry to practice plan submitted by Dr. Ficano and took this action:

**MOTION:** Made by Ms. McIntyre and seconded by Dr. Brewer with the vote, via roll call, being unanimous to require that the applicant follow the re-entry to practice guidelines.

**B. Permanent Licensure Applications**

**MOTION:** Made by Ms. McIntyre and seconded by Dr. Munroe with the vote, via roll call, being unanimous to approve the following applications for permanent licensure: Matthew Abinante, D.O.; Kellen Hipp, D.O.; Lara Householder, D.O.; Umberto Napoletano, D.O.; Nunzio Pagano, D.O.; April Papa, D.O.; Brendan Tarzia, D.O.; Robert Nieland, D.O. and Tahlia Wolfgang, D.O.

**MOTION:** Made by Ms. McIntyre and seconded by Mr. Michaud with the vote, via roll call, being unanimous to approve the application submitted by Monica Burke, D.O.

**VII. Adjournment**

**MOTION:** Made by Dr. Munroe and seconded by Ms. McIntyre with the vote, via roll call, being unanimous to adjourn the meeting.

Respectfully submitted,

Susan E Strout, Executive Secretary