

Maine Board of Osteopathic Licensure
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Minutes of June 10, 2021 Board Meeting – 9:30 a.m. – 12:15 p.m.

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

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General, Office of the Attorney General; Nikolette Alexander, Consumer Assistance Specialist; Andrew Black, Assistant Attorney General, Office of the Attorney General; Peter Somerville, Office of the Attorney General; Amanda Richards, Executive Director, Maine Osteopathic Association; Sean McGarr, DO; Kenneth Lehman, Esquire; Taylor Fawns, Esquire.

Ms. Michaud welcomed new Board members, Lisa Ryan, DO and Rebecca Vose, PA-C to the Board. Dr. Ryan practices in southern Maine; Ms. Vose practices in Augusta.

Complaint and investigative reviews are held in Public Session without the use of names unless otherwise noted. Due to technical issues, AAG Wilson and Dr. Brewer were unable to join the meeting at the very beginning. All items on the agenda were reviewed but in a different order.

AAG Wilson joined at the start of the following matter; Dr. Brewer joined midway through the following matter.

I. Review of Complaint and Investigative Matters (out of order from the agenda)

A. CR2021 13 – Dr. Pisini, Case Reporter (listed as Item 1.E. on the agenda)

Dr. Pisini provided an overview of the case. Following review and discussion, Board members took this action:

MOTION: Made by Ms. Michaud and seconded by Ms. McIntyre to invite the licensee to attend an Informal Conference to review the case and discuss prescribing practices, medical records, awareness of Board rules, etc.

Based on a suggestion made during the discussion prior to the vote, Ms. Michaud amended her motion as follows:

AMENDMENT TO MOTION: Made by Ms. Michaud and seconded by Ms. McIntyre with the vote via roll call being unanimous to invite the licensee to attend an Informal Conference to and to further investigate the prescribing practices of the licensee. Dr. Pisini, Case Reporter abstained from voting; Dr. Brewer abstained from voting as he was unable to log in until part way through the review and discussion.

B. CR2020 35 – Ms. McIntyre, Case Reporter (listed as item 1.A. on the agenda)

Ms. McIntyre provided a brief overview and noted that the licensee had signed an Agreement more in keeping with the Board's wishes. Following review, the Board took this action:

Continued from Page 1 of 4 – June 10, 2021 Osteopathic Board Meeting Minutes

MOTION: Made by Ms. Michaud and seconded by Dr. Gaddis with the vote via roll call carrying to accept the consent agreement as signed by the licensee. Ms. McIntyre (Case Reporter), Ms. Vose and Dr. Ryan abstained from voting

C. CR2020 41 & CR2021 11 (listed as Items 1.B & 1.C on the agenda & combined)

Following review and a lengthy discussion, the Board took this action on the two matters, combined:

MOTION: Made by Ms. McIntyre and seconded by Dr. Gaddis with the vote via roll call carrying to authorize AAG Wilson to pursue a Consent Agreement as resolution of the two matters with the terms of the Agreement to include but not be limited to, completion of the ProBE course for guidance on ethics and boundaries, allowing the Board to make further recommendations based on the evaluation from the course. Ms. McIntyre (Case Reporter), Dr. Ryan and Ms. Vose abstained from voting.

D. CR2021 12 – Dr. Pisini, Case Reporter

Board members reviewed correspondence sent to the complainant following the dismissal of his complaint (in May) as well as correspondence from him in follow-up. Having thoroughly reviewed all materials prior to and discussing the case at the meeting itself, the Board stood by its decision to dismiss the complaint. No Board action was required or taken.

E. CR2021 14 – Ms. Michaud, Case Reporter (listed as Item 1.F on the agenda)

Ms. Michaud provided an overview of the case. Following review and discussion, the Board took this action:

MOTION: Made by Ms. McIntyre and seconded by Dr. Brewer with the vote carrying to set the matter for a hearing but to authorize AAG Wilson to pursue a Consent Agreement in lieu of a hearing. Terms of an Agreement would include, but not be limited to, no further treatment of female patients. Ms. Michaud (Case Reporter), Dr. Ryan and Ms. Vose abstained from voting.

The Board will resume the remaining agenda items after the following matter.

At this time, the Board voted (Ms. McIntyre, Dr. Brewer [2nd] via roll call vote) to go into Executive Session for the following Informal Conference. Ms. Vose recused herself from participation in the matter and was placed in the virtual ‘Waiting Room’ as were any members of the public who were observing the meeting. Following the Conference, the Board voted (Ms. McIntyre, Dr. Brewer [2nd] via roll call vote) to return to Public Session and took this action:

II. Informal Conference re: IN2020-40

Following review of the materials presented and a lengthy discussion, the Board took this action:

MOTION: Made by Mr. Michaud and seconded by Dr. Gaddis with the vote carrying for dismissal of the complaint with the issuance of a Letter of Guidance (‘LOG’), to remain in the licensee’s file for ten (10) years., noting the importance of 1) professional behavior and, 2) never working while impaired, including when on call. The Board would appreciate receiving confirmation, perhaps annually for the next two years, from the licensee that he continues to participate in a professional monitoring program and in therapy. Dr. Gillis(Case Reporter) abstained from voting. Dr. Ryan abstained from voting and as previously noted, Ms. Vose was recused and had left the meeting.

Following additional discussion, a second motion was made:

Continued from Page 2 of 4 – June 10, 2021 Osteopathic Board Meeting Minutes

MOTION: Made by Dr. Gaddis and seconded by Ms. Michaud with the vote via roll call carrying to approve the license renewal. Dr. Gillis (Case Reporter) and Dr. Ryan abstained from voting and Ms. Vose remained away from the meeting.

Ms. Vose re-joined the meeting at this time.

F. CR2021 16 – Ms. McIntyre, Case Reporter (not listed on the agenda)

The Executive Secretary noted that suggestions for only two (2) names of the 5 required by statute had been received for a Board ordered evaluation. Ms. Michaud noted having sent names; Ms. Strout confirmed the list of 3 had never been received; Ms. Michaud will re-send the list. No action needed.

At this time, the Board voted (Ms. Michaud, Dr. Brewer [2nd], unanimous roll call vote) to go into Executive Session. Following discussion and a vote (Ms. McIntyre, Dr. Brewer [2nd], unanimous roll call vote) to return to Public Session, the Board took this action:

G. IN2020-18

Following review of the materials presented as well as discussion, the Board took this action:

MOTION: Made by Mr. Michaud and seconded by Dr. Gaddis with the vote via roll call carrying to table any action on the matter, including the pending application, pending further investigation as requested by the Board. Dr. Gillis (Case Reporter) abstained from voting. Dr. Ryan was not present for the vote.

III. Minutes/Revenue & Expense Reports

A. May 2021 Draft Meeting Minutes

Following review, the Board took this action.

MOTION: Made by Ms. Michaud and seconded by Dr. Brewer with the vote, via roll call, carrying to approve the minutes of the May 2021 minutes with one minor change. Ms. Vose abstained; Dr. Ryan was not present at this time.

B. Review of May 2021 Revenue & Expense Reports¹

Board members reviewed the revenue and expense reports. No Board action necessary.

IV. Permanent Licensure Applications

MOTION: Made by Ms. McIntyre and seconded by Dr. Gillis with the vote, via roll call, being unanimous to approve the following applications for permanent licensure: Nadine Byers, DO; Lauren Dube, DO; Catherine Hill-Verrochi, DO; Jeffrey Jett, DO; Emily McPherson, DO; Andre Sakla, DO; Michelle LaFlamme, DO; Chadron Vassar, DO; Tyler Weisberger, DO; Min Je Woo, DO.

B. Rita R. S. Ongjoco, DO

MOTION: Made by Ms. McIntyre and seconded by Ms. Michaud with the vote, via roll call being unanimous to offer the license an administrative consent decree with an extension of 3-months to

¹ Department of Administrative & Financial Services

Continued from Page 3 of 4 – June 10, 2021 Osteopathic Board Meeting Minutes

complete the 23.75 hours she is short to meet her statutory requirement.

V. Adjournment

Ms. McIntyre noted that she will be unable to be present for the July 8, 2021 meeting. The meeting was adjourned, via unanimous roll call vote, at 12:15 p.m.

Respectfully submitted,

Susan E. Strout, Executive Secretary