

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 June 13, 2019 Board Meeting – 9:30 a.m. – 1 p.m.

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

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

I. Complaints & Investigations

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

A. CR2017 19

Following review of the correspondence from the licensee's attorney, the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to deny the licensee's request to reconsider its vote to subpoena specific records associated with this matter. Dr. Gillis and Dr. Thomas, Case Reporter, abstained.

B. CR2019 01

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

MOTION: Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to have Det. Gioia conduct some additional investigation regarding the matter. Dr. Smith, Case Reporter, abstained.

C. CR2019 07

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

MOTION: Made by Ms. Michaud, seconded by Dr. Pisini and voted unanimously to dismiss the complaint as it did not rise to a level which would warrant Board action. Dr. Brewer, Case Reporter, abstained.

D. CR2019 12

Following review of the complaint, response, medical records and 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. Ms. McIntyre, Case Reporter, abstained.

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

A. Paul G. Gosselin, D.O.

Dr. Thomas, Case Reporter, noted that the Federation of State Medical Boards had submitted a request for approval of Dr. Gosselin's request to take the SPEX¹ exam. Following a brief discussion, the Board voted (voted by Ms. McIntyre, 2nd by Dr. Gaddis) to go into Executive Session to discuss confidential information, based on 1 MRS 405 (1)(F). Once again in Public Session (motion by Ms. Michaud, 2nd by Dr. Gillis) the Board took this action:

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted to respond to the FSMB indicating that the licensee is authorized to take the SPEX exam. Dr. Gillis was opposed; Dr. Thomas, Case Reporter, abstained.

¹ Special Purposes Examination – administered via the Federation of State Medical Boards.

B. Kevin Kenerson, DO

Dr. Gaddis, Case Reporter, noted no new concerns. No Board action was necessary.

III. Minutes/Revenue & Expense Reports

A. Review of April & May 2019 Meeting Minutes

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

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to approve the April & May 2019 meeting minutes, changing only the meeting start time for May to 10:30 a.m.

B. Revenue & Expense Reports

The May 2019 revenue and expense reports, generated by DAFS², were reviewed and accepted.

IV. Other Business

A. FSMB³ Matters

While awaiting the start of the upcoming Informal Conference, Dr. Gillis provided his report on the Federation's Annual Meeting which was held in Fort Worth, TX. Some of the topics discussed were late career physicians, opioid prescribing and human interaction in the face of the digital era. Dr. Gillis noted that a topic of particular interest to him is vaping and that he may do some research on that topic for a future meeting.

The Board voted (Ms. McIntyre, 2nd by Dr. Gillis), to go into Executive Session for the Informal Conference at the request of the licensee (as allowed by law). Once again in Public Session (Ms. McIntyre, 2nd by Dr. Smith), the Board took this action:

V. Informal Conference – CR2018 33

MOTION: Made by Ms. Michaud, seconded by Dr. Gillis and voted unanimously to issue a Letter of Guidance regarding unprofessional conduct reminding the licensee of professional standards for conduct and communication which include meeting attendance, responding to e-mails, being upfront regarding the requirements of the program, and completing medical records in a timely manner. In addition, to remind the licensee that it is important to meet the expectations of his colleagues for professional conduct and communication and how important it is to maintain this conduct for the remainder of his career as a physician. The letter is to remain on file for one (1) year. Dr. Brewer, Case Reporter, abstained.

VI. Licensure Matters

A. Permanent Licensure Applications

MOTION: Made by Dr. Gaddis, seconded by Ms. McIntyre and voted unanimously to approve the licensure applications submitted by: Christopher Decker, D.O.; Tammy Perng, D.O.; Robert Kysela, D.O., Christina Edwards, D.O.; Scan Lena, D.O.; Alexandria Betz, D.O.; Myles Jen Kin, D.O.; Samantha Dunn, D.O. & Lindsey Dalka, D.O.

B. Physician Assistant Applications

No PA applications were presented for review.

² Division of Administrative & Financial Services

³ Federation of State Medical Boards

IV. Other Business (continued from Page 2 of 4)

B. Review of Pilot Project Concept from Jonathan Busko, M.D.

Board members reviewed and discussed the concept, presented to both medical boards and indicated a general willingness to hear from Dr. Busko but no motion was made regarding the matter.

C. Discussion re: MD Board Newsletter

Board members discussed the MD Board invitation to join and add articles, but no motion was made and no vote taken by the Board.

D. Review of Joint Chapter 12 – Draft Basis Statement & Comments

Following their review of the draft statement and comments in response, including comments from the Board of Nursing following their review, the Board took this action:

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to accept the comment submitted by G.N., MD regarding Section 1 – Definitions, in agreement with the Board of Nursing.

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to accept the comment, in part., submitted by E.S., DO regarding Section 2 – Purpose, in agreement with the Board of Nursing.

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously not to accept the comment submitted by H.S., MD, obo ASAM⁴ regarding Section 2, in agreement with the Board of Nursing.

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously not to accept the comment submitted by J.B., MD, P.E., MD & A.K., MD regarding Section 2, in agreement with the Board of Nursing.

MOTION: Made by Dr. Gaddis, seconded by Dr. Thomas and voted unanimously not to accept the comments submitted by C.J., MSN obo Maine Nurse Practitioner Association; B.C., DO; J.A., MD; D.T., MD & K.H. obo MaineHealth regarding Sections 2.3, 4 & 5, in agreement with the Board of Nursing.

MOTION: Made by Dr. Pisini, seconded by Dr. Thomas and voted unanimously not to accept the comment submitted by D.M., MD & L.B., MD regarding Section 4.7 and agreed with the response noted by the Board of Nursing;

MOTION: Made by Dr. Gaddis, seconded by Dr. Thomas and voted unanimously not to accept the comment submitted by J.A., MD regarding Section 5.3 and agreed with language proposed by the Board of Nursing;

MOTION: Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously not to accept the comment submitted by K H. obo MaineHealth, D.M., MD, and L.B., M.D., both obo Mid-Coast Health, regarding Section 5.4(B)(1) in agreement with the Board of Nursing.

MOTION: Made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously not to accept the comment submitted by K H. obo MaineHealth, D.M., MD, and L.B., M.D., both obo Mid-Coast Health, regarding Section 5.4(B)(2) in agreement with the Board of Nursing.

MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously to accept the comment submitted by J.C., MD, regarding Section 5.4.(B)(2) in agreement with the Board of Nursing.

⁴ American Society of Addiction Medicine

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MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously not to accept the comment submitted by D.M., M.D. and L.B., MD obo Mid Coast Health regarding Section 5.4(C)(1) and agreed with the response proposed by the Board of Nursing.

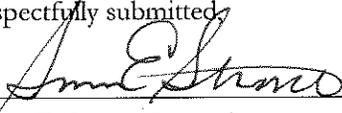
MOTION: Made by Ms. McIntyre, seconded by Dr. Thomas and voted unanimously not to accept the comment submitted by J.A., MD regarding Section 5.4(C), in agreement with the Board of Nursing.

MOTION: Made by Ms. McIntyre, seconded by Dr. Brewer and voted unanimously not to accept the comment submitted by K.H. obo MaineHealth regarding Section 5.7, in agreement with the Board of Nursing.

VII. Adjournment

A motion was made by Ms. McIntyre, seconded by Dr. Gaddis and voted unanimously to adjourn the meeting at 12:45 p.m.

Respectfully submitted,



Susan E. Strout, Executive Secretary