

Unapproved draft
NH BOARD OF MEDICINE
7 Eagle Square
Concord, NH 03301
March 11, 2022

PUBLIC MEETING MINUTES

David Conway, MD, President , NH Board of Medicine, ("Board"), convened an Emergency public meeting of the Board on March 11, 2022 at 12:18 p.m. Pursuant to RSA 329:7, III members convened over Zoom.

Please note that **all votes** taken during this meeting were done by **roll call vote**. The following members announced their presence and confirmed no one else was in the room with them:

David Conway, MD, President (DC)
Nina Gardner, Public Member (NG)
Susan Finerty, PAC (SF)
Emily Baker, MD (EB)
David Goldberg, MD (DG)
Richard Kardell, DO (RK)
Absent: Linda Tatarczuch, Public member; Jonathan Ballard, MD, Michael Barr, MD
Attendees: Christine Senko, Administrator ; Jessica Kennedy, Administrator

Self Report from David Lapides, MD

Attorney John Garrigan, Enforcement Division presented information in matters pertaining to an arrest of Dr. Lapides. Dr. Lapides was convicted of a felony in February 2022 and is currently incarcerated at home. He holds a compact license in which New Hampshire is his primary state of licensure.

Members discussed whether the actions of Dr. Lapides present an imminent threat or harm to citizens of New Hampshire.

On motion of Ms. Gardner, seconded by Dr. Kardell, at 1:08 pm, the members of the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct, physician applications with irregularities and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v. Knowlton, 119 N.H. 574 (1978),and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Conway	Yes	Ms. Gardner	Yes
Dr. Baker	Yes	Dr. Goldberg	Yes
Dr. Kardell	Yes		
Ms. Finerty	Yes		

On motion of Ms. Gardner, seconded by Dr. Conway, the Board voted to go into public session at 1:19pm. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Conway	Yes	Ms. Gardner	Yes
Dr. Baker	Yes	Dr. Goldberg	Yes
Dr. Kardell	Yes		
Ms. Finerty	Yes		

Upon the motion of Dr. Conway, and seconded by Dr. Kardell, at 1:19 pm, the Board voted to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and/or to render the proposed action ineffective and/or is not subject to public disclosure pursuant to RSA 329:18, I, RSA 329:18-a, IV or RSA 329:29. However, forty-eight hours after the mailing of any order, its respective vote shall automatically become public in accordance with RSA 329:18-a. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Conway	Yes	Ms. Gardner	Yes
Dr. Baker	Yes	Dr. Goldberg	Yes
Dr. Kardell	Yes		
Ms. Finerty	Yes		

On motion by Dr. Conway and second of Dr. Kardell, members of the Board voted unanimously by roll call to adjourn the public session at 1:29pm. Each member recorded his or her vote as follows:

Dr. Conway	Yes	Ms. Gardner	Yes
Dr. Baker	Yes	Dr. Goldberg	Yes
Dr. Kardell	Yes		
Ms. Finerty	Yes		