



State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
DIVISION OF LICENSING AND BOARD ADMINISTRATION
Board of Medicine
7 Eagle Square, Concord, NH 03301-2412
Phone: 603-271-2152

PUBLIC MINUTES
JUNE 14, 2022
Emergency Meeting

Susan Finerty, PAC, Vice President, NH Board of Medicine, ("Board"), convened an Emergency public meeting of the Board on June 14, 2022 at 2:03 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:

Susan Finerty, PAC
Michael Barr, MD
Nina Gardner, Public Member
Linda Tatarczuch, Public member

Additional Attendees:

Attorney Michael Haley, Board Counsel; Attorney Michael Porter, OPLC Enforcement Division; Attorney Nikolas Frye, Hearings Officer; David Conway, MD, Physician Investigator; Christine Senko, Board Administrator; Jessica Kennedy, Board Administrator; Kaylyn Marcotte, Board Administrator

Absent:

David Goldberg, MD
Richard Kardell, DO
Jonathan Eddinger, MD

Recused:

Emily Baker, MD
Jonathan Ballard, MD

OPLC Enforcement Division Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 329:18-B

Attorney Michael Porter, Enforcement Division presented information in matters pertaining to an investigation of alleged diversion of a controlled substance from Cheshire Medical Center and the involvement of the President/Chief Executive Officer, Don Caruso, MD, and Chief Medical Officer, Cherie Holmes, MD.

Members discussed whether the actions of Dr. Caruso and/or Dr. Holmes present an imminent threat or danger to citizens of New Hampshire.

On motion of Ms. Finerty, seconded by Ms. Gardner, at 2:07 p.m., the members of the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct, 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.



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On motion of Ms. Finerty, seconded by Ms. Gardner, the Board voted to return to public session at 3:11 p.m. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Upon the motion of Ms. Gardner, seconded by Ms. Finerty, the Board voted to seal and 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.

On motion by Ms. Finerty, seconded by Ms. Gardner, members of the Board voted unanimously by roll call to adjourn the meeting at 3:12 p.m.