MINUTES
December 7, 2016

STATE OF NEW HAMPSHIRE
BOARD OF MEDICINE

The regularly scheduled meeting of the New Hampshire Board of Medicine was held at 121 South Fruit Street, Concord, New Hampshire on the above date, beginning at 8:00 A.M. Unless otherwise indicated, the members present and participating were: Michael Barr, M.D., President of the Board; Emily R. Baker, M.D., Vice President of the Board; Robert J. Andelman, M.D.; Louis E. Rosenthal, M.D., Vice President of the MRSC; John H. Wheeler, D.O.; Frank B. Dibble, Jr., M.D., DHHS Commissioner’s Designee; Daniel P. Potenza, M.D.; Mark Sullivan, P.A.; Gail Barba, Public Member; Daniel Morrissey, OP., Public Member and Edmund J. Waters, Jr., Public Member. Absent was: N/A.

Motion to commence 1st non-public session:

On motion of Mr. Sullivan, seconded by Mr. Waters, 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.

1st NON-PUBLIC SESSION:

[Minutes kept separately]

Motion to keep minutes of 1st non-public session confidential:

Upon the motion of Dr. Baker and the second of Ms. Barba, 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.

On motion of Dr. Baker, seconded by Ms. Barba, the Board voted to go into public session.
Motion to commence 2nd non-public session:

On motion of Mr. Sullivan, seconded by Dr. Dibble, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct 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.

2nd NON-PUBLIC SESSION:

[Minutes kept separately]

Motion to keep minutes of 2nd non-public session confidential:

Upon the motion of Dr. Potenza and the second of Mr. Sullivan, 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.

On motion of Dr. Potenza, seconded by Mr. Sullivan, the Board voted to go into public session.
MEETINGS/INTERVIEWS/HEARINGS WITH THE BOARD:

Interview with Normand Lazarow, M.D. regarding the open internal medicine position on the Medical Review Subcommittee. Board Action: 12/7/16 – On motion of Dr. Barr, seconded by Dr. Rosenthal, inform Dr. Lazarow that the Board has chosen another candidate to fill the internal medicine position on the Medical Review Subcommittee. Unanimous.

Interview with Steven S. Levine, M.D. regarding the open internal medicine position on the Medical Review Subcommittee. Board Action: 12/7/16 – On motion of Dr. Barr, seconded by Dr. Rosenthal, inform Dr. Levine that the Board has chosen another candidate to fill the internal medicine position on the Medical Review Subcommittee. Unanimous.

Interview with Michael J. Stevens, D.O. regarding the open family practice position on the Medical Review Subcommittee. Board Action: 12/7/16 – On motion of Dr. Rosenthal, seconded by Ms. Barba, defer the decision regarding Dr. Stevens for a month to interview any other potential candidates. 9-1 abstained.

Interview with Joseph Bautista, M.D. regarding the open internal medicine position on the Medical Review Subcommittee. Board Action: 12/7/16 – On motion of Dr. Barr, seconded by Dr. Rosenthal, recommend Dr. Bautista to Governor and Council to replace Dr. Ira Schwartz on the Medical Review Subcommittee. Unanimous.

Nick Perencevich, M.D., Physician Investigator. 12/7/16 – Dr. Perencevich questioned what the Board’s involvement is when a physician applies to be a member of the Board. He indicated to the Board that the Governor’s office communicated with a candidate for a Board position without Board input.

Hearing regarding Aaron Geller, M.D., Docket #15-08. Board Action: 12/7/16 – Hearing commenced.

Actions authorized during 1st non-public session:

I. NEW APPLICATIONS:

PHYSICIAN
TEMPORARY LICENSES: Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve for temporary license. Unanimous.

LADD, Christopher D., MD – Radiology – University of Toledo College of Medicine, 1991.
PHYSICIAN LICENSES:  Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve for full license. Unanimous.


HURT, Christopher J., M.D. – Diagnostic Radiology (Board Certified) – John Hopkins University School of Medicine, 2003.

JACOBS, Melissa A., M.D. – Diagnostic Radiology (Board Certified) – Cornell University, 2000.

KALER, Lawrence W., M.D. – Diagnostic Radiology (Board Certified) – Oregon, Health & Science University School of Medicine, 1991.

MATHEWS, Molly R., M.D. – Pediatrics (Board Certified) – Marshall University School of Medicine, 1996.

ZURHELLEN, William M., M.D. – Pediatrics (Board Certified) – Hahnemann University School of Medicine, 1972.

PHYSICIAN REINSTATEMENT LICENSES:  Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve for reinstatement of license. Unanimous.

BENTIVOGLIO, Gianpaolo, M.D. – Child and Adolescent Psychiatry (Board Certified) – Bowman Gray School of Medicine of Wake Forest University, 1990.

YUASA, Shorta, M.D. – Addiction Medicine (Board Certified) – Tufts University School of Medicine, 1994.

PHYSICIAN ASISTANT REINSTATEMENT LICENSES:  Board Action: 10/5/16 – Tabled. Board Action: 11/2/16 – Vote taken in non-public session. Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, a Board Order will be issued. Dr. Dibble and Dr. Potenza abstained. All others concurred.

CONSENT PHYSICIAN
TEMPORARY LICENSES: Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve for temporary license. Unanimous.

WANG, Sijie J., M.D. – Internal Medicine – University of Connecticut School of Medicine, 2014.

CONSENT
PHYSICIAN LICENSES: Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve for full license. Unanimous.

ABRAMSON, Simon G., M.D. – Diagnostic Radiology (Board Certified) – University of Illinois College of Medicine, 2009.


ARCHIBALD, Oliver P., M.D. – Internal Medicine (Board Certified) – Boston University School of Medicine, 1993.


BROWN, Saghi S., M.D. – Diagnostic Radiology (Board Certified) – Keck School of Medicine University of Southern California, 2004.


CAMBRON, Sword C., M.D. – Diagnostic Radiology (Board Certified) – Dartmouth Medical School, 2009.


FRANCE, Joel J., D.O. – Pathology – Lincoln Memorial University Debusk College of Osteopathic Medicine, 2011.
FRANKO, Denise M., M.D. – Anesthesiology – University of Virginia School of Medicine, 2013.

GORHAM, Nicholas P., M.D. – Emergency Medicine (Board Certified) – University of Texas Health Science Center San Antonio, 2010.

HEYCK, Thomas M., M.D. – Diagnostic Radiology (Board Certified) – University of Florida College of Medicine, 1996.

HOFFMAN, Ross G., M.D. – Cardiovascular Disease (Board Certified) – University of Florida College of Medicine, 1988.

ILER, Jeffrey M., M.D. – Psychiatry – University of Toledo College of Medicine, 2013.

JANJUA, Sahar A., M.D. – Internal Medicine (Board Certified) – Aga Khan Medical College Aga Khan University in Pakistan, 2010.

JOHNSON, Gregory L., M.D. – Diagnostic Radiology (Board Certified) – SUNY Health Science Center at Brooklyn, 1994.

JOHNSON, Max R., M.D. – Ophthalmology (Board Certified) – University of North Dakota, 1982.

KALATHIA, Rupesh H., M.D. – Diagnostic Radiology (Board Certified) – University of Illinois College of Medicine, 2007.

KERNS, Scott R., M.D. – Diagnostic Radiology (Board Certified) – University of Virginia School of Medicine, 1986.

KETEMA, Tsion A., M.D. – OB/GYN – Albert Einstein College of Medicine of Yeshiva University 2011.


MCCREEDY, Samuel J., M.D. – Family Practice (Board Certified) – University of Mississippi School of Medicine, 2001.

MORRIS, Marvin E., M.D. – General Surgery (Board Certified) – Boston University School of Medicine, 2000.


PETER, Joanne T., M.D. – Family Practice – Ross University in Dominica, 2011.

PHAM, Tu T.H., M.D. – Diagnostic Radiology (Board Certified) – University of Wisconsin Medical School, 2003.

ROBBINS, Larry D., D.O. – Anesthesiology (Board Certified) – Kirksville College of Osteopathic Medicine, 1984.

ROSEN, Paul, M.D. – Pediatrics (Board Certified) – State University of New York at Buffalo School of Medicine and Biomedical Sciences, 1997.

SAAVEDRA, Arturo P., M.D. – Dermatopathology (Board Certified) – University of Pennsylvania School of Medicine, 2000.

SHARMA, Vivek, M.D. – Orthopaedic Surgery (Board Certified) – Indira Gandhi Medical College in India, 1992.

SRIVASTAVA, Ankur, M.D. – Anesthesiology – Suny Downstate Medical Center, 2014.

TALARICO, Sonia, D.O. – Family Practice (Board Certified) – Nova Southeastern University College of Osteopathic Medicine, 2003.

VANDERLAN, Wesley B., M.D. – Critical Care Surgery (Board Certified) – Uniformed Services University of the Health Sciences, 1993.

ZAFAR, Sahar F., M.D. – Neurology (Board Certified) – Aga Khan Medical College Aga Khan University in Pakistan, 2007.

CONSENT PHYSICIAN
ASSISTANT LICENSES:  Board Action:  12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve for full license.  Unanimous.

BONVINI, Adrienne J., P.A.  (Pending RSP/ARSP)
BROWNING, Heather E., P.A.
CONWAY, Andrea M., P.A.
DIXON, Anita M., P.A.
FEINBERG, Robert, P.A.  (Pending RSP/ARSP)
GUMPRECHT, Amy-Lyn, P.A.
MATHER, Karen J., P.A.
PLOSKI, Elissa J., P.A.
SCRONCE, Brenda A., P.A.
SWANSON, Ashley V., P.A.
CONSENT REINSTATEMENT

PHYSICIAN ASSISTANT LICENSES: Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve for reinstatement of license. Unanimous.

FITZPATRICK, June A., P.A.

II. Draft Minutes from the November 2, 2016 Board meeting. Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approved. Unanimous.

III. PUBLIC – PRESIDENT'S REPORT

None.

IV. PUBLIC – EXECUTIVE DIRECTOR'S REPORT

N/A.

Dr. Dibble left the meeting.

V. PUBLIC - TABLED:

T1. Pursuant to SB 523-FN, new section RSA 318-B:41, the Board must appoint three licensed physicians to a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. Thomas M. Sherman, M.D., NH State Representative, is recommending Dr. George Lantz, who is board certified in pain and anesthesia. Board Action: 7/6/16 – On motion of Dr. Dibble, seconded by Ms. Barba, send request to the NH Medical Society for recommendations for appointments. Ms. Taylor to request Dr. Lantz write to the Board for consideration of appointment. Also, Ms. Taylor will ask Dr. Ralph Beasley if he is interested. Unanimous. Board Action: 8/3/16 – On motion of Dr. Dibble, seconded by Dr. Potenza, appoint Dr. Lantz to the commission. Ms. Taylor will put a request up on the Board’s website requesting volunteers for this commission and send the same “blurb” to Janet Monahan at the NH Medical Society asking her to put it in their newsletter. Tabled. Unanimous. Board Action: 9/7/16 – Tabled. Board Action: 10/5/16 – Board still needs to appoint two licensed physicians to this commission. Tabled. Board Action: 11/2/16 – Tabled. Board Action: 12/7/16 – Tabled.

T2. Pursuant to SB 530-FN, new subdivision RSA 126-A:72, the Board must appoint a physician assistant to a commission to study volunteer health care services. Board Action: 8/3/16 - Ms. Taylor will put a request up on the Board’s website requesting volunteers for this commission and send the same “blurb” to Janet Monahan at the NH Medical Society asking her to put it in their newsletter. Unanimous. Board Action: 9/7/16 – Tabled. Board Action: 10/5/16 – Tabled. Board Action: 11/2/16 – Tabled. Board Action: 12/7/16 – Tabled.
T3. DRAFT amended rules for review by the Board. **Board Action:** 11/2/16 – On motion of Dr. Andelman, seconded by Mr. Waters, tabled. Unanimous. **Board Action:** 12/7/16 – Tabled.

T4. Request from James Potter for approval of Risk Assessment Tools to comply with the Board’s rules on opioid prescribing. **Board Action:** 11/2/16 – On motion of Dr. Andelman, seconded by Ms. Barba, tabled. Ms. Taylor to ask Seddon Savage, M.D. and Gilbert Fanciullo, M.D. if they can give the Board some guidance on the top four (4) risk assessment tools for opioid prescribing. Unanimous. **Board Action:** 12/7/16 – On motion of Mr. Morrissey, seconded by Dr. Rosenthall, approve SOAPP-R and ORT. Unanimous.

T5. Nominations for President and Vice-President of the Board of Medicine for the year 2017. **Board Action:** 11/2/16 – Ms. Barba nominates Dr. Barr for President, seconded by Mr. Sullivan. Dr. Rosenthall nominates Dr. Baker for Vice President, seconded by Dr. Andelman. Elections will be in December. **Board Action:** 12/7/16 – On motion of Ms. Barba, seconded by Dr. Wheeler, accept Dr. Barr as President and Dr. Baker as Vice-President. Unanimous.

T6. October 25, 2016 request from Normand H. Lazarow, MD to fill the Internal Medicine open position on the Medical Review Subcommittee. **Board Action:** 11/2/16 – File. Unanimous. 11/7/16 – Dr. Perencevich spoke with Dr. Barr. Put this back on Board agenda and invite for an interview in December. **Board Action:** 12/7/16 – On motion of Dr. Barr, seconded by Dr. Rosenthall, inform Dr. Lazarow that the Board has chosen another candidate to fill the internal medicine position on the Medical Review Subcommittee. Unanimous.

T7. Board needs to appoint a member to the Childhood Lead Poisoning Screening Subcommittee Meeting as Sarah Blodgett was attending these meetings and will be leaving on June 30, 2016. **Board Action:** 7/6/16 – Tabled. **Board Action:** 8/3/16 – Tabled. Ms. Taylor will put a request up on the Board’s website requesting volunteers for this commission and send the same “blurb” to Janet Monahan at the NH Medical Society asking her to put it in their newsletter. Unanimous. **Board Action:** 9/7/16 – Tabled. **Board Action:** 10/5/16 – Tabled. 10/11/16 – Request from Catrina Watson, NH Medical Society, to appoint David Fredenburg, MD to this Subcommittee. **Board Action:** 11/2/16 – On motion of Dr. Andelman, seconded by Dr. Barr, appoint David Fredenburg, M.D. to the Childhood Lead Poisoning Screening Subcommittee. Unanimous. Board still needs to appoint a pediatric health care provider. **Board Action:** 12/7/16 – Tabled.

VI. PUBLIC - NEW BUSINESS:

A. Informational:
B. Action Items:


2. Request from Carol Cameron, M.D. for a hearing and a prehearing conference regarding denial of her renewal application. 11/22/16 – Procedural Order on Licensee’s Requests and Notice of Hearing to Show Cause approved by Presiding Officer and issued – to be ratified at Board’s December 7, 2016 meeting. Board Action: 12/7/16 – On motion of Dr. Baker, seconded by Mr. Sullivan, Board ratified the Procedural Order on Licensee’s Requests and Notice of Hearing to Show Cause. Unanimous.

3. Request from Roland M. Glassman, M.D., dated November 17, 2016, for an extension to complete his CME requirement for the cycle January 1, 2015 through December 31, 2016. Board Action: 12/7/16 – On motion of Mr. Sullivan, seconded by Dr. Baker, approve extension to March 1, 2017. Unanimous.

4. Joint Petition For a Hearing Before the Board of Medicine Regarding Respondent Adnan Khan, M.D.’s Request for Approval of an Amended Settlement Agreement dated November 22, 2016. Dr. Rosenthal and Dr. Dibble recused. Board Action: 12/7/16 – On motion of Mr. Sullivan, seconded by Mr. Waters, deny Petition indicating the Dr. Khan has not told the Board that the requirements in his current Settlement Agreement cannot be carried out at another hospital. If there are conditions that Dr. Khan cannot meet, this would void the current Settlement Agreement and the Board will proceed with the hearing on January 4, 2017. Dr. Rosenthal and Dr. Dibble recused. All others concurred.

VII. PUBLIC – LATE AGENDA ITEMS:

None.

VIII. PUBLIC ORDERS ISSUED:

NOWAK, George, M.D. – Agreement For Non-Disciplinary Remedial Action. Board Action: 12/7/16 – On motion of Dr. Barr, seconded by Dr. Potenza, approve the Agreement For Non-Disciplinary Remedial Action and send to all states where Dr. Nowak has ever been licensed. Unanimous.
IX. DISCIPLINARY PROCEEDINGS:

HEARINGS SCHEDULED:

GELLER, Aaron S., M.D. – Hearing scheduled for December 7, 2016 from 1:00 P.M. to 5:30 P.M.
Docket #: 15-08

Louis Rosenthal, M.D. recused.
Mr. Waters is the Presiding Officer.
Michelle Heaton is Hearing Counsel from APU.

Board Action: 11/4/15 – On motion of Dr. Andelman, seconded by Mr. Waters, issue Notice of Hearing. Schedule hearing for January 6, 2016 at 2:00 P.M. Mr. Waters will be the Presiding Officer. 9-1 abstained.
11/25/15 – Motion to Request a Prehearing Conference submitted by Michelle Heaton, Esq., APU.
12/04/15 – Appearance filed by Daniel J. Corley, Esq.
12/04/15 – Assented to Motion to Continue Hearing Date and Extend Deadline to File Witness Lists and Proposed Exhibits filed by Attorney Corley.
12/10/15 – Order of Continuance rescheduling the hearing to May 4, 2016 at 1:00 P.M.
02/12/16 – Motion For Clarification of Procedural Order submitted by Michelle Heaton, Esq., APU.
02/12/16 – Motion to Request a Prehearing Conference submitted by Michelle Heaton, Esq., APU.

Board Action: 03/02/16 – On motion of Mr. Waters, seconded by Ms. Barba, schedule prehearing conference. Unanimous.
03/18/16 – Prehearing conference held.
03/18/16 – Hearing Counsel’s List of Witnesses and Exhibits
03/28/16 – Procedural Order issued pursuant to the prehearing conference held on March 18, 2016. Hearing continued. Date to be determined.
06/14/16 – Joint Motion to Extend Procedural Order Schedule
06/20/16 – Amended Procedural Order
09/01/16 – Request from Michelle Heaton, Esq. for hearing dates.

Board Action: 09/7/16 – Tabled. Board will discuss at its October 5, 2016 meeting.

Board Action: 10/5/16 – On motion of Mr. Waters, seconded by Dr. Potenza, send out a Scheduling Order for a prehearing on November 18, 2016 at 10:00 A.M. and the adjudicatory hearing on December 7, 2016 from 1:00 P.M. to 5:30 P.M. Unanimous.
10/13/16 – Scheduling Order scheduling a prehearing conference on November 18, 2016 and a hearing on December 7, 2016 from 1:00 P.M. to 5:30 P.M.
10/17/16 – Assented to Motion to Continue Hearing submitted by Attorney Heaton.
11/01/16 – Prehearing Brief submitted by Attorney Heaton.
11/01/16 – Hearing Counsel’s Amended List of Witnesses and Exhibits

Board Action: 11/2/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, deny Motion to Continue. Unanimous.
11/04/16 – Order Denying Continuance.
11/16/16 – Aaron Geller, M.D. ’s List of Witnesses and Exhibits (marked incorrectly).
11/18/16 – Aaron Geller, M.D. ’s List of Witnesses and Exhibits (marked correctly).

Board Action: 12/7/16 – Hearing commenced. The parties scheduled the next dates for the hearing for January 30, 2017, January 31, 2017 and tentatively March 13, 2017 and March 14, 2017 from 8:00 A.M. to 4:00 P.M. each day.
THOMPSON, Greg R., M.D. – Hearing scheduled for December 13, 14, 19 and 22, 2016 from 8:00 A.M. to 4:00 P.M. each day
Case #: 2012-132
Dr. Rosenthall recused.
Dr. Barr is the Presiding Officer.
Michelle Heaton is Hearing Counsel from APU.
Board Action: 04/6/16 – On motion of Dr. Feitelson, seconded by Dr. Dibble, approve Notice of Hearing. Unanimous. The hearing will be held October 5, 2016 at 1:00 P.M. Dr. Barr will be the Presiding Officer.
04/13/16 – Notice of Hearing issued.
05/24/16 – Appearance filed by Michael J. Iacopino, Esq.
06/14/16 – Hearing Counsel’s Preliminary List of Witnesses and Exhibits
06/30/16 – Motion to Seal Exhibits.
07/28/16 – Hearing Counsel’s Motion to Request a Prehearing Conference
07/29/16 – Response to Motion for Prehearing Conference from Michael Iacopino, Esq., on behalf of Dr. Thompson.
08/11/16 – Hearing Counsel’s Amended List of Witnesses and Exhibits.
08/15/16 – Order Rescheduling the Hearing to October 13, 14, 17 and 18, 2016.
08/16/16 – Order Rescheduling the Hearing to December 13, 14, 19 and 22, 2016, 8-4pm each day.
10/5/16 – There will be a panel of three to hear this case. Those members who make up the panel are Michael Barr, M.D., Daniel Potenza, M.D. and Edmund J. Waters, Jr., Public Member.
11/23/16 – Hearing Counsel’s Amended List of Witnesses and Exhibits.

KHAN, Adnan S., M.D. – Hearing cancelled.
CALL, Kenneth D., M.D.
Case #: 2015-226
Dr. Rosenthal and Dr. Dibble recused.
Dr. Barr is the Presiding Officer.
Michelle Heaton, Esq is Hearing Counsel from APU.
Board Action: 05/4/16 – On motion of Dr. Andelman, seconded by Mr. Waters, issue Notice of Hearing. Dr. Barr will be the Presiding Officer. The hearing will be held January 4, 2017. 8-1 abstained. Motion carries.
Board Action: 09/7/16 - On motion of Ms. Barba, seconded by Mr. Waters, approved Settlement Agreement regarding Adnan S. Khan, M.D. Unanimous.

WARREN, John F., M.D. – January 4, 2017 at 1:00 P.M.
Dr. Rosenthal recused.
Dr. Barr is the Presiding Officer.
No Hearing Counsel from APU.
Board Action: 4/6/16 – On motion of Dr. Dibble, seconded by Ms. Barba, request Ms. Lefebvre contact Dr. Warren and inquire about CMEs and why he hasn’t submitted them. 4-6 motion fails. On motion of Dr. Andelman, seconded by Dr. Feitelson, issue Show Cause Order for the following: A) why hasn’t Dr. Warren submitted his CMEs and B) why Dr. Warren hasn’t cooperated with the Board. Ms. Taylor to call and verify Dr. Warren’s address and send certified to all addresses on file with the Board. 9-1 motion carries.
11/17/16 – Order to Show Cause and Notice of Hearing issued.
KONOPKA, Anna, M.D. – Hearing scheduled for February 1, 2017 at 1:00 P.M.  
Case #: 2014-424  
Dr. Rosenthall and Dr. Dibble recused.  
Dr. Baker is the Presiding Officer.  
Michelle Heaton is Hearing Counsel from APU.  
Board Action: 04/6/16 – On motion of Dr. Andelman, seconded by Mr. Morrissey, approve Notice of Hearing. Unanimous. The hearing will be held September 7, 2016 at 1:00 P.M. Dr. Baker will be the Presiding Officer.  
06/29/16 – Motion to Postpone Hearing submitted by James D. Gleason, Esq.  
Board Action: 08/3/16 – On motion of Mr. Morrissey, seconded by Dr. Potenza, continue hearing to February 1, 2017 at 1:00 P.M. Dr. Baker absent. All others concurred.  
08/12/16 – Order of Continuance rescheduling hearing to February 1, 2017 at 1:00 P.M.  

WILLIAMS, Edward J., M.D. – Hearing scheduled for March 1, 2017 at 1:00 P.M.  
DILLON, Kasey L., P.A.  
Case #: 2014-43  
Dr. Rosenthall recused.  
Dr. Barr is the Presiding Officer.  
Michelle Heaton is Hearing Counsel from APU.  
Board Action: 08/3/16 – On motion of Dr. Andelman, seconded by Dr. Dibble, issue Notice of Hearing as amended. Schedule the hearing for March 1, 2017 at 1:00 P.M. Dr. Barr, or someone else appointed by the Board, will act as the Presiding Officer. Unanimous.  
09/14/16 – Notice of Appearance submitted by John D. Cassidy, Esq. and Christopher M. Bracci, Esq., Ficksman & Conley, LLP.  

Action authorized during 2nd non-public session:  

KLINGLER, Jonathan W., D.O. – Hearing scheduled for April 5, 2017 at 1:00 P.M.  
Initial License Application  
Dr. Barr is the Presiding Officer.  
No Hearing Counsel from APU.  
Board Action: 10/5/16 – On motion of Mr. Sullivan, seconded by Dr. Dibble, issue Notice of Hearing to Show Cause why Dr. Klingler should be issued a full, unrestricted license. Unanimous.  
10/25/16 – Appearance and Motion for Reconsideration or, In the Alternative, Clarification and Expedited Hearing submitted by Cinde Warmington, Esq., counsel on behalf of Dr. Klingler.  
10/31/16 – Letter from Attorney Warmington with corrections that should be made to Dr. Klingler’s license application.  
Board Action: 11/2/16 – Ms. Taylor to send the application, along with the Appearance and Motion for Reconsideration or, In the Alternative, Clarification and Expedited Hearing and the letter from Attorney Warmington with corrections to license application to the Board for review at its December 7, 2016 meeting.  
Board Action: 12/7/16 – On motion of Mr. Sullivan, seconded by Mr. Waters, deny Motion for Reconsideration and Expedited Hearing. 5-5 motion fails. On motion of Dr. Dibble, seconded by Dr. Andelman, grant Motion for Reconsideration. The Board will consider terms of a conditional license at its January 4, 2017 meeting. 8-2 motion carries.
HEARINGS HELD PENDING FINAL DISPOSITION:

CLOUGH, Christopher, P.A. – Hearing scheduled for February 3, 2016 at 2:00 P.M.  
Docket #: 15-09  
Case #: 2014-503  
Dr. Rosenthall, Dr. Andelman and Dr. Feitelson recused.  
Mr. Waters is the Presiding Officer.  
Michelle Heaton, Esq., is Hearing Counsel from APU.  
Board Action: 11/4/15 – On motion of Mr. Sullivan, seconded by Mr. Waters, issue Notice of Hearing to Show Cause for violating Order of Practice Restrictions of August 28, 2014. Hearing will be held on December 2, 2015 at 1:00 P.M. Mr. Waters will be the Presiding Officer. Unanimous.  
11/19/15 – Appearance filed by William E. Christie, Esq.  
11/19/15 – Motion to Continue December 2, 2015 Show Cause Hearing submitted by Attorney Christie.  
11/23/15 – Order of Continuance issued rescheduling hearing to January 6, 2016 at 2:00 P.M.  
11/19/15 – Respondent’s Request for Shorthand Court Reporter.  
Board Action: 12/2/15 – On motion of Mr. Sullivan, seconded by Ms. Barba, approved. Indicate in order that Mr. Clough is responsible for all costs. Unanimous.  
Board Action: 02/3/16 – Hearing was held.  
03/01/16 – Respondent Christopher Clough’s Post Hearing Submission for filing with the Board.  
Board Action: 11/2/16 – Vote taken in non-public session.  
Board Action: 12/7/16 – On motion of Mr. Waters, seconded by Mr. Sullivan, approve order to revoke Mr. Clough’s license. Also, the Board considered the reinstatement application submitted by Mr. Clough and voted that he fails to meet the standards for reinstatement of license pursuant to RSA 328-D:5-a, I. Dr. Dibble and Dr. Potenza abstained. All others concurred.

SOLOMON, Abraham, M.D. – Hearing scheduled for October 5, 2016 at 1:00 P.M.  
Dr. Rosenthal recused.  
Mr. Morrissey is the Presiding Officer.  
No Hearing Counsel from APU.  
Request from Abraham Solomon, M.D. for a hearing regarding his license application.  
Board Action: 5/4/16 – On motion of Mr. Waters, seconded by Dr. Rosenthal, approve request for a hearing. The hearing will be held on December 7, 2016 at 1:00 P.M. The Presiding Officer will be Mr. Morrissey. Unanimous.  
05/06/16 – Request from Dr. Solomon to change the date of his hearing from December 7, 2016 to an earlier date.  
Board Action: 6/1/16 – On motion of Dr. Dibble, seconded by Dr. Andelman, inform Dr. Solomon that, at the moment, there are no other dates available for a hearing, however, the Board will reschedule his hearing if an earlier date opens up. Unanimous.  
08/11/16 – “Applicant Response to New Hampshire Documents” received from Dr. Solomon; Board marked as Exhibit A.  
08/12/16 – Order Rescheduling the Hearing of December 7, 2016 to October 5, 2016 at 1:00 P.M.  
Board Action: 10/5/16 – Hearing held.  
10/20/16 – Order of Denial issued.  
10/27/16 – “Formal Request for Reconsideration of Decision by the New Hampshire Board of Medicine” submitted by Dr. Solomon.  
Board Action: 12/7/16 – On motion of Mr. Sullivan, seconded by Ms. Barba, Board ratified Order of Denial dated October 20, 2016, which included a review of the Order of Denial, Exhibit B and Dr. Solomon’s request for reconsideration. Dr. Andelman abstained. All others concurred.
HEARINGS WITH DATE TO BE DETERMINED:

FOORD, William, M.D. – Hearing continued. Date to be determined.
Docket #: 13-01
Dr. Barr and Ms. Barba not participating.
Mr. Morrissey is the Presiding Officer
No Hearing Counsel from APU.

Board Action: 12/2/15 – On motion of Dr. Andelman, seconded by Mr. Morrissey, send Notice of Hearing to Show Cause. The hearing is scheduled for April 6, 2016 at 1:00 P.M. Mr. Morrissey will be the Presiding Officer. Dr. Barr and Ms. Barba not participating. All others concurred.

04/04/16 – Order of Continuance issued continuing the hearing until a future date to be determined, unless the Board approves Dr. Foord’s request to allow him to retire effective November 24, 2015.

Board Action: 05/4/16 – On motion of Dr. Andelman, seconded by Mr. Waters, approve Dr. Foord’s request to retire, interpreting Dr. Foord’s letter to mean surrender of license. 6-2 abstained. Motion carries. On motion of Dr. Rosenthal, seconded by Mr. Sullivan, motion to reconsider. Unanimous. On motion of Dr. Dibble, seconded by Mr. Waters, tabled for Board Counsel to take under consideration and possibly pursue settlement. Unanimous.

07/06/16 – Letter from Jill A. Desrochers, Esq., Assistant Attorney General, to Dr. William Foord, along with a proposed Voluntary Surrender of License for review by Dr. Foord.

07/15/16 – Voluntary Surrender of License by Dr. Foord for review by the Board.

Board Action: 8/3/16 – On motion of Dr. Barr, seconded by Dr. Baker, approve Voluntary Surrender of License. Ms. Barba recused. All others concurred.

MASEWIC, Matthew J., M.D. – Hearing continued. Date to be determined.
Docket #: 16-04

Dr. Rosenthal recused.
Mr. Waters is the Presiding Officer
Matthew Mavrogeorge, Esq. and Michelle Heaton, Esq. are Hearing Counsel from APU

Board Action: 04/27/16 - On motion of Mr. Waters, seconded by Dr. Wheeler, the Board voted to approve the Order of Emergency Conditional License Suspension and Notice of Hearing in regards to Dr. Matthew J. Masewic. The hearing is scheduled for May 4, 2016 at 1:00 P.M. Mr. Waters will be the Presiding Officer. Approved by a roll call vote of members present:

Dr. Barr
Dr. Baker
Dr. Wheeler
Mr. Sullivan
Mr. Waters

04/29/16 – Appearance from Attorneys Sarah Murdough and Peter Meyer.

04/29/16 – Hearing Counsel’s Assented to Motion to Approve Preliminary Agreement for Practice Restrictions and Continue Hearing.

05/02/16 – Order Granting Continuance.

05/02/16 – Procedural Order scheduling a prehearing conference for Wednesday, May 4, 2016 at 1:00 P.M.

05/02/16 – Preliminary Agreement for Practice Restrictions issued.

Board Action: 5/4/16 – On motion of Dr. Barr, seconded by Dr. Andelman, Board ratifies the Preliminary Agreement for Practice Restrictions, the continuance of the hearing and the scheduling of a prehearing conference. Unanimous.
VIDAVER, Robert C., M.D. – Hearing not scheduled.
Docket #: 15-04
Dr. Rosenthall and Dr. Vidaver recused.
Mr. Waters is the Presiding Officer.
Hearing Counsel is Matthew Mavrogeorge, Esq.
06/03/15 - Discussion on Report of Investigation regarding Robert C. Vidaver, M.D. Dr. Rosenthall and Dr. Vidaver recused.
Board Action: 6/3/15 – On motion of Mr. Waters, seconded by Dr. Barr, request response from Dr. Vidaver with a deadline of June 15, 2015. Also, issue Notice of Hearing. Presiding Officer, Edmund Waters, Jr., is authorized to review and issue the Notice of Hearing. Hearing to be held on July 1, 2015. Unanimous.
06/19/15 – Assented-To Motion to Continue Hearing submitted by Sean R. List, Esq., Attorney for Dr. Vidaver.
06/22/15 – Presiding Officer granted a continuance. Order of Continuance issued. Board to reschedule hearing for a future date.