

MINUTES

June 7, 2017

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: Emily R. Baker, M.D., Vice President of the Board; John H. Wheeler, D.O.; Frank B. Dibble, Jr., M.D., DHHS Commissioner's Designee; Daniel P. Potenza, M.D.; David C. Conway, M.D.; Gilbert J. Fanciullo, M.D. and Mark Sullivan, P.A. Absent was: Michael Barr, M.D., President of the Board.

Motion to commence 1st non-public session:

On motion of Dr. Potenza, seconded by Mr. Sullivan, 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 Mr. Sullivan and the second of Dr. Potenza, 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 Mr. Sullivan, seconded by Dr. Potenza, 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, 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.

2nd NON-PUBLIC SESSION:

[Minutes kept separately]

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

Upon the motion of Dr. Dibble and the second of Dr. Conway, 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. Dibble, seconded by Dr. Conway, the Board voted to go into public session.

**MINUTES
PUBLIC SESSION
BOARD OF MEDICINE
June 7, 2017**

MEETINGS/INTERVIEWS/HEARINGS WITH THE BOARD:

Nick Perencevich, M.D., Physician Investigator. Board Action: 6/7/17 – Dr. Perencevich discussed the following with the Board:

1. Report of the DUI Committee and its recommendations.
2. Suggested law changes as it relates to RSA 329:17, V-a and XII.

Actions authorized during 1st non-public session:

I. NEW APPLICATIONS:

PHYSICIAN TEMPORARY

LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, approved for temporary license. Unanimous.

CACHECHO, Riad, M.D. – General Surgery (Board Certified) – University of Damascus in Syrian Arab Republic, 1976.

McKINNEY, Terry K., Jr., M.D. – General Surgery – University of Tennessee Memphis College of Medicine, 2010.

PHYSICIAN

TEMPORARY LICENSES: *Included with the application is Dr. Layer's Petition for Waiver of Substantive Rule, Med 303.01(c).* **Board Action: 5/3/17** – On motion of Mr. Sullivan, seconded by Dr. Barr, deny petition and ask Dr. Layer to withdraw his application for license as he does not qualify. Board cannot waive Med 303.01(c) pursuant to Med 201.04. Unanimous. **5/11/17** – Board conducted a telephone poll and approved Dr. Layer's application for license pursuant to his Petition for Waiver of Substantive Rule Med 211.01. Board to ratify decision to approve full license at its June 7, 2017 meeting. **Board Action: 6/7/17** – On motion of Dr. Wheeler, seconded by Mr. Sullivan, ratify decision to issue full license. Unanimous.

LAYER, Andrey, M.D. – General Surgery – Russian State Medical University, 1996.

PHYSICIAN

TEMPORARY LICENSES: *Included with the application is Dr. Novikov's Petition for Waiver of Substantive Rule, Med 303.01(c).* Board Action: 5/3/17 – On motion of Mr. Sullivan, seconded by Dr. Barr, deny petition and ask Dr. Novikov to withdraw his application for license as he does not qualify. Board cannot waive Med 303.01(c) pursuant to Med 201.04. Unanimous. **5/11/17** – Board conducted a telephone poll and approved Dr. Novikov's application for license pursuant to his Petition for Waiver of Substantive Rule Med 211.01. Board to ratify decision to approve full license at its June 7, 2017 meeting. **Board Action: 6/7/17** – On motion of Dr. Wheeler, seconded by Mr. Sullivan, ratify decision to issue full license. Unanimous.

NOVIKOV, Mikhail S., M.D. – General Surgery – The First Moscow State Medical University named after IM Sechenov, 1994.

PHYSICIAN

LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, approved for full license. Unanimous.

BUTLER, Craig A., M.D. – Orthopaedic Surgery (Board Certified) – Johns Hopkins University School of Medicine, 1985.

Issue Dr. Butler an Administrative License.

CARROLL, Molly A., M.D. – OB/GYN (Board Certified) – University of Kansas, 2010.

DAVAE, Ketan, M.D. – Diagnostic Radiology (Board Certified) – University of New York at Buffalo, 1994.

DIB, Joe E., M.D. – Emergency Medicine (Board Certified) – SUNY at Brooklyn, 1994.

DONNELLY, Jason, M.D. – Physical Medicine and Rehabilitation (Board Certified) – New York Medical College, 2010.

KENNY, Christopher D., D.O. – Physical Medicine and Rehabilitation (Board Certified) – Western University of Health Sciences, College of Osteopathic Medicine of the Pacific, 2009.

KONOPKA, Joseph F., M.D. – Orthopaedic Surgery – Harvard Medical School, 2010.

LEHMKUHL, Stephen W., D.O. – Internal Medicine – West Virginia School of Osteopathic Medicine, 2014.

PETRONE, William F., M.D. – Pediatrics (Board Certified) – University of South Alabama College of Medicine, 1984.

SAVUL, Shazia A., M.D. – Psychiatry (Board Certified) – Khyber Medical College, University of Peshawar, 1996.

SHERVANICK, George J., II, D.O. – Emergency Medicine (Board Certified) –
Midwestern University, Arizona Campus, 2000.

SRIHARAN, Aravindhan, M.D. – Pathology (Board Certified) – University of Tennessee
Memphis, 2012.

TAMBAKIS-ODOM, Constance R., M.D. – Anesthesiology (Board Certified) –
Universidad Autonoma De Guadalajara in Mexico, 1985.

THOMAE, Keith R., M.D. – General Surgery (Board Certified) – University of
Wisconsin, 1988.

VAN CURAN, Keith W., M.D. – Family Medicine (Board Certified) – University of
Utah, 2005.

PHYSICIAN

LICENSES: Board Action: 6/7/17 – On motion of Dr. Fanciullo, seconded by Mr. Sullivan,
request additional information. Unanimous.

TAYEB, Baraa O., M.D. – Anesthesiology – King Abdulaziz University in Saudi Arabia,
2006.

PHYSICIAN LICENSES: Board Action: 5/3/17 – On motion of Dr. Barr, seconded by Mr.
Sullivan, tabled. Request additional information from Dr. Matta. Unanimous. Board Action:
6/7/17 – Tabled.

MATTA, Stephen, D.O. – Family Medicine (Board Certified) – Philadelphia College of
Osteopathic Medicine, 2007.

PHYSICIAN LICENSES: Board Action: 5/3/17 – On motion of Dr. Dibble, seconded by Dr.
Barr, tabled. Request additional information from Dr. Wilson. Unanimous. **5/10/17** –
Information received. Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr.
Sullivan, approved for full license. Unanimous.

WILSON, Joseph N., M.D. – Otolaryngology (Board Certified) – University of Colorado,
1986.

PHYSICIAN

REINSTATEMENT LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler,
seconded by Mr. Sullivan, approved for reinstatement of license. Unanimous.

RICHARDSON, Dawn M., M.D. – Emergency Medicine (Board Certified) – Brown
University, 1988.

LOCUM

TENENS LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, approved for locum tenens license. Unanimous.

BROOKS, Bobbi M., M.D.
HEILMAN, Lloyd, M.D.
SINGH, Navkaran B., M.D.

CONSENT TEMPORARY

PHYSICIAN LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, approved for temporary license. Unanimous.

DRINANE, Mary C., M.D. – Internal Medicine (Board Certified) – Royal College of Surgeons in Ireland, 2010.

LABOUR, Manuel E., M.D. – Internal Medicine – Universidad Iberoamericana in Dominican Republic, 2012.

RENFROW, Miranda K., D.O. – Ophthalmology – Oklahoma State University College of Osteopathic Medicine, 2006.

SEIDLER, Darius, M.D. – Internal Medicine (Board Certified) – St. Georges University, 2011.

CONSENT

PHYSICIAN LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, approved for full license. Unanimous.

ABEYTA, Roberto B., M.D. – Internal Medicine (Board Certified) – University of Pennsylvania School of Medicine, 1990.

AHMED, Nayla, M.D. – Internal Medicine – Aga Khan Medical College, Aga Khan University in Pakistan, 2012.

ARYA, Rishi, M.D. – Diagnostic Radiology – Texas Tech University Health Science Center School of Medicine, 2011.

ASTIN, Marc T., M.D. – OB/GYN (Board Certified) – University of Utah, 1981.

AUSTIN, Daniel C., M.D. – Orthopaedic Surgery – University of Pennsylvania, 2014.

BALIGA Nisha, M.D. – Psychiatry – St. George's University in Grenada, 2013.

BANNERMAN, Elana R., M.D. – Family Practice (Board Certified) – University of Medicine and Dentistry NJ R.W. Johnson Medical School, 2013.

BOMAN, Lars, M.D. – General Surgery – State University of New York Buffalo, 1983.

BRAHVER, Danit V., M.D. – Family Medicine (Board Certified) – University of Medicine and Dentistry NJ R.W. Johnson Medical School, 2012.

BREHM, Anthony, M.d. – Internal Medicine (Board Certified) – University of the Witwatersrand in South Africa, 2004.

CANTOR, Michael D., D.O. – Internal Medicine (Board Certified) – University of Pikeville-Kentucky College of Osteopathic Medicine, 2002.

CHAPATON-RIVARD, Elisabeth R., D.O. – Internal Medicine (Board Certified) – Kansas City University of Medicine, 2007.

CHOWDHRY, Shilpa M., M.D. – Internal Medicine – New York University, 2014.

CHUANG, Michael S., M.D. – Emergency Medicine (Board Certified) – SUNY at Stony Brook, 2009.

CONCEPCION ZAYAS, Milangel T., M.D. – Psychiatry (Board Certified) – University of Puerto Rico School of Medicine, 2011.

DAVIDSON, Lucy E., M.D. – Psychiatry (Board Certified) – Emory University School of Medicine, 1981.

De GIJSEL, David D.C., M.D. – Internal Medicine (Board Certified) – Universiteit Van Amsterdam in Netherlands, 2008.

DEKA, Priya, M.D. – OB/GYN – St. George’s University in Grenada, 2013.

DESAI, Naman S., M.D. – Neuroradiology – Cornell University, 2011.

DESAI, Shilpa J., M.D. – Ophthalmology – Harvard Medical School, 2011.

DEVON, Octavia N., M.D. – Urology – Drexel University College of Medicine, 2005.

FERRIS, Caren S., M.D. – Psychiatry (Board Certified) – Mt. Sinai School of Medicine, 1984.

FREEMAN, Bridget E., M.D. – Pediatrics (Board Certified) – University of Newcastle-Upon-Tyne in United Kingdom, 1984.

GHIMIRE, Laxmi V., M.D. – Psychiatry (Board Certified) – Tribhuran University in Nepal, 2008.

GOFF, Kathy O., M.D. – Family Practice (Board Certified) – University of Massachusetts Medical School, 1996.

HAN, Anping, M.D. – Family Medicine (Board Certified) – Inner Mongolia Medical College in China, 1984.

HATCH, Linda H., M.D. – Emergency Medicine – University of Texas Health Science Center at San Antonio, 2013.

HILTON, Steven, D.O. – Family Medicine – Kirksville College of Osteopathic Medicine, 2014.

HORTON, Sammy J., M.D. – Internal Medicine (Board Certified) – University of Texas Southwestern Medical Center at Dallas, 1996.

JONES, Brian L., M.D. – Internal Medicine (Board Certified) – Dartmouth Medical School, 2008.

KOLLER GORHAM, Jessica S., M.D. – General Surgery – University of Texas Health Science Center at San Antonio, 2012.

KOTINSLEY, Benjamin M., M.D. – Diagnostic Radiology (Board Certified) – Wright State University School of Medicine, 2008.

LEE, Jonathon A., M.D. – Diagnostic Radiology (Board Certified) – Ohio State University, 2002.

LEWIS, Jennifer M., M.D. – Gastroenterology (Board Certified) – American University of the Caribbean St. Maarten, 2008.

LOTEMPIO, Maria M., M.D. – Otolaryngology (Board Certified) – UB, SUNY School of Medicine, 1999.

MALCOLM, John F., M.D. – Family Medicine – University of Vermont, 2014.

MAZDISNIAN, Farhad, M.D. – Internal Medicine (Board Certified) – Jefferson Medical College, 1996.

MULLER, Kristen E., D.O. – Pathology (Board Certified) – Nova Southeastern University College of Osteopathic Medicine, 2012.

NIKOLOV, Borislav M., M.D. – Neurology (Board Certified) – Medical University of Sofia in Bulgaria, 1982.

NYDAM, Timothy, M.D. – Emergency Medicine (Board Certified) – University of South Dakota, 2006.

PARK, Won J., M.D. – Internal Medicine (Board Certified) – Hallym University in South Korea, 2006.

PAULSON, Jordan D., M.D. – Neurology (Board Certified) – Georgetown University School of Medicine, 2009.

PORTER, Brian S., M.D. – Internal Medicine (Board Certified) – Dartmouth Medical School, 2007.

RAJAN, Roy, M.D. – Internal Medicine (Board Certified) – TD Medical College, University of Kerala in India, 2001.

RAMOS, Lauren M., M.D. – Pediatrics (Board Certified) – St. George’s University in Grenada, 2010.

RAPP, Kenneth J., III, M.D. – Emergency Medicine – University of Medicine and Dentistry New Jersey R.W. Johnson Medical School, 2014.

SALMON, Oliver J., D.O. – Pediatrics – University of New England College of Osteopathic Medicine, 2014.

SEIBEL, Philip S., M.D. – Thoracic Surgery (Board Certified) – Medical University of South Carolina, 1989.

SEMBRANO, Roderick N., M.D. – Physical Medicine and Rehabilitation (Board Certified) – University of the Philippines, 2004.

SHARFIN, Glenn I., M.D. – Orthopaedic Surgery (Board Certified) – SUNY at Stony Brook, 1976.

SHELTON, Trent W., D.O. – Diagnostic Radiology – Midwestern University, Arizona Campus, 2007.

SHERWIN, Scott M., M.D. – Internal Medicine – American University of the Caribbean, 2014.

SMITH, Alyssa R., M.D. – Pediatrics – University of Pennsylvania, 2014.

STAMM, Michael A., M.D. – Otolaryngology (Board Certified) – University of Virginia School of Medicine, 1987.

STONER, Jason D., M.D. – Emergency Medicine (Board Certified) – University of Missouri-Kansas City School of Medicine, 1992.

SUAREZ, Julie, M.D. – Internal Medicine (Board Certified) – Albert Einstein College of Medicine of Yeshiva University, 1995.

TRAUTWEIN, Michael R., M.D. – Internal Medicine – Tufts University, 2014.

TZIKAS, Nicholas, M.D. – General Surgery – St. George’s University in Grenada, 2012.

WEINBERG, Nicholas E., M.D. – Emergency Medicine (Board Certified) – University of Vermont College of Medicine, 2010.

WEIS-McNULTY, Annette, M.D. – Diagnostic Radiology (Board Certified) – Faculty of Medicine Johannes Gutenberg University of Mainz, Germany, 1999.

WESTIN, Charles W., M.D. – Radiology – University of Louisville, 2012.

YOUNG, Michael N., M.D. – Internal Medicine (Board Certified) – Vanderbilt University School of Medicine, 2009.

CONSENT PHYSICIAN

REINSTATEMENT LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, approved for reinstatement of license. Unanimous.

VITTERITO, Joseph A., II, M.D. – Pediatrics – The Geisel School of Medicine at Dartmouth, 2000.

CONSENT PHYSICIAN

ASSISTANT LICENSES: Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, approved for full license. Unanimous.

DUFOUR, Mackenzie J., P.A.

ELKIN, Laurel A., P.A.

JONES, Christopher, P.A.

MILLER, Timothy C., P.A.

MOLL, Laura, P.A.

NEUHARDT, Elizabeth A., P.A.

RIDEWOUT, Cody J., P.A.

SUNTOKE, Tara R., P.A.

WOOD, Kelsey E., P.A.

II. Draft Minutes from the May 3, 2017 Board meeting. Board Action: 6/7/17 – On motion of Dr. Baker, seconded by Dr. Dibble, approved. Unanimous.

III. PUBLIC – PRESIDENT'S REPORT

None.

IV. PUBLIC - TABLED:

- T1.** 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. **Board Action: 1/4/17** – Ms. Taylor will make changes and bring back to the Board in February. **Board Action: 2/1/17** – Tabled. **Board Action: 3/1/17** – Ms. Taylor to make changes and bring back to Board next month. Tabled. **Board Action: 4/5/17** – On motion of Dr. Barr, seconded by Dr. Fanciullo, tabled for the May meeting. Unanimous. **Board Action: 5/3/17** – On motion of Dr. Barr, seconded by Dr. Dibble, tabled for June meeting. Unanimous. **Board Action: 6/7/17** – On motion of Dr. Dibble, seconded by Dr. Conway, submit initial proposal of Med 301.03, 301.04, 305.01, 401.03, 402.02, 407.01, 407.02, 407.03 and 501.02 to JLCAR. Unanimous.
- T2.** Discussion regarding “Collaborative rules with pharmacists” based on e-mail from Daniel Potenza, M.D. dated November 7, 2016. **Board Action: 1/4/17** – Dr. Potenza will send the draft rules to Ms. Taylor, who will forward them to the Board. **Board Action: 2/1/17** – Tabled. Dr. Potenza will provide updates monthly, if applicable.
- T3.** James Potter, Executive Vice President, NH Medical Society (NHMS), will attend Board meeting to discuss the NHMS assisting the Board with the website regarding the required opioid courses. **Board Action: 4/5/17** – Tabled. **Board Action: 5/3/17** – Dr. Fanciullo has agreed to work with Mr. Potter to accomplish this. The Board has noted the following should be clear on the website in the future: the CME list may change periodically; any new courses for approval should be sent to the NH Medical Society’s address; once the Board approves a course, it will be listed on the website. **Board Action: 6/7/17** – Tabled. Dr. Fanciullo will discuss with Mr. Potter to determine how the NH Medical Society can assist the Board in this process.

V. PUBLIC - NEW BUSINESS:

A. Informational:

B. Action Items:

1. The following physicians are requesting an extension to complete his/her CMEs for the cycle January 1, 2015 through December 31, 2016:
 - Anthony R. Viola, M.D., ext. to June 1, 2017
 - Jeff Hanissian, M.D., ext. to June 30, 2017
 - Tricia Mendoza, M.D., ext. to May 1, 2017
 - John Martin, D.O., ext. to May 15, 2017
 - Ahad Fazelat, M.D., ext. to June 30, 2017
 - Sean P. Lynch, M.D., ext. to June 30, 2017
 - Robert Jarrett, M.D., ext. to May 31, 2017
 - Crizeldo Carias, M.D., ext. to June 20, 2017
 - Gerald L. Sardella, M.D., ext. to May 31, 2017
 - Heidi Harrington, M.D., ext. to June 30, 2017

- Brian Jeffery, M.D., ext. to May 31, 2017
- Robert D. Yager, M.D., ext. to March 31, 2017
- Jagjivan Mehta, M.D., ext. to April 30, 2017
- Barbara Wilson, M.D., ext. to August 1, 2017

Board Action: 6/7/17 – On motion of Dr. Dibble, seconded by Dr. Potenza, approved as listed. Ms. Taylor to let Dr. Barbara Wilson know that the Board will take action against her license if her CMEs are not completed and documentation is not submitted to the NH Medical Society by August 1, 2017. Unanimous.

2. April 25, 2017 request from J. Mark Riddell, M.D. to use the following 2016 week-long modules as Category 1 CME to renew his license in June, 2017:

- April 4-8 The Practice of Evidence-Based Medicine
- September 19-23 Teaching Evidence-Based Practice
- November 7-11 Introduction to Study Design and Research Methods

Board Action: 6/7/17 – On motion of Dr. Fanciullo, seconded by Dr. Wheeler, approved for 120 hours for the 2015-2016 CME cycle. Unanimous.

3. May 1, 2017 request from Stacey Kjeldgaard, Executive Director, Ethics and Boundaries Assessment Services, LLC (“EBAS”), to meet with the Board to discuss the possibility of EBAS working with the Board. Board Action: 6/7/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, inform Ms. Kjeldgaard that the Board does not directly provide these services to licensees. Request she look for other organizations in NH that may be able to use these services. Unanimous.

4. *Assented To Motion for Clarification and/or Modification*, dated April 19, 2017, submitted by Andrea L. Daley, Esq. on behalf of Christopher Kirby, M.D. Also included is correspondence from Dr. Teitelbaum, dated April 10, 2017. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Potenza, send Dr. Garhart the Motion and ask her if Dr. Kirby is still involved in the NH PHP, does she agree with #13 in the Motion and does #13 represent her opinion. *Dr. Wheeler recused*. All others concurred.

5. Discussion on continuing education hours required from physician assistants to comply with RSA 318-B:40, opioid CME requirement. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Wheeler, Board staff will need to collect the 3 hours of opioid CME from PAs. Staff to send a notice with the renewal applications. Unanimous.

6. DRAFT law changes regarding the composition of the Medical Review Subcommittee (RSA 329:17, V-a) and also the statute of limitations (RSA 329:17, XII). Board Action: 6/7/17 – On motion of Dr. Fanciullo, seconded by Dr. Conway, approve draft. Dr. Perencevich will submit draft to his representative to submit to the legislature next session. Unanimous.

7. May 11, 2017 e-mail from Louise Dias, PA requesting clarification of the PDMP rules. Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, inform Ms. Dias that the Board does not offer legal opinions. Ms. Taylor will send her a copy of the Med 502 rules. Unanimous.

8. May 12, 2017 letter from Deepika Singh, M.D. requesting approval of a course entitled “Opioid Prescriber Training Program” to satisfy the requirements of RSA 318-B:40. Board Action: 6/7/17 – On motion of Dr. Baker, seconded by Dr. Fanciullo, approved. Unanimous.
9. May 11, 2017 letter from Chad P. Brouillard, Esq. on behalf of Adnan Khan, M.D. with copies of Affiliated Monitors, Inc. Education Proposal and Dr. Khan’s supervision agreement signed by both him and his supervisor, pursuant to the April 5, 2017 Settlement Agreement. Board Action: 6/7/17 – On motion of Dr. Wheeler, seconded by Mr. Sullivan, inform Attorney Brouillard that the Board has many questions regarding this proposal and would like to meet with him and Dr. Khan on July 5, 2017 at 1:00 P.M. *Dr. Dibble recused.* All others concurred.
10. May 17, 2017 e-mail from Wendy Gladstone, M.D. requesting approval from the Board to post articles on the Board’s website regarding issues that come up from review of a child’s death. Board Action: 6/7/17 – On motion of Dr. Baker, seconded by Mr. Sullivan, inform Dr. Gladstone that these articles are not appropriate for the Board’s website and suggest she may consider contacting the NH Medical Society. Unanimous.
11. May 17, 2017 e-mail from Gregory Bahder, M.D. regarding his compliance with his Settlement Agreement dated September 5, 2014. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Baker, accept and file. Unanimous.
12. May 8, 2017 e-mail from Selina Mead, Credential Specialist, Spectrum Medical Group, requesting approval of CDC Clinician Outreach and Communication Activity (COCA) free continuing education credits to satisfy the requirement of RSA 318-B:40. Board Action: 6/7/17 – On motion of Dr. Fanciullo, seconded by Dr. Baker, approved. Unanimous.
13. May 19, 2017 e-mail from Andrea R. Willgohs, Neurology Editorial Office, American Academy of Neurology, requesting approval of the Neurology Podcast’s four special episodes dedicated to responsible opioid prescribing to satisfy the requirement of RSA 318-B:40. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Baker, approved. Unanimous.
14. May 19, 2017 e-mail from Christopher C. Taintor, Esq., Norman, Hanson & DeTroy, LLC, regarding the law that states “All licensees shall notify the board in writing within 5 days after they sever connection with any commitment to practice medicine for any reason, either personal, professional, or disciplinary” and whether the term “commitment to practice medicine” is intended to refer to contracts, requiring physicians to notify the Board if/when they leave a job. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Wheeler, inform Attorney Taintor that the Board does not provide legal interpretations of the rules. Unanimous.

15. May 19, 2017 e-mail from Christine Campanella, BSN, RN, CNOR, CMC Surgical Care Group, requesting clarification as to whether it is permissible for a non-provider to obtain a consent for a narcotic prescription and complete the risk assessment form. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Baker, inform Ms. Campanella that the Board does not provide legal interpretations of the rules. Unanimous.
16. May 23, 2017 e-mail from Kevin P. Desrosiers, M.D. requesting approval of a conference entitled “International Conference on Opioids: Opioids in Pain Management – The fusion of Science and Practice” being held at Harvard Medical School from June 11-13, 2017, to satisfy the requirement of RSA 318-B:40. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Wheeler, approved. Unanimous.
17. May 25, 2017 e-mail from Jason Terrell, M.D. including a certificate of completion for CMEs in compliance with his Settlement Agreement with the Board dated May 10, 2017. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Baker, accept and file. Unanimous.
18. May 26, 2017 e-mail from Joy Potter, NH Medical Society, requesting approval of an Osteopathic Course on Alternatives to Opioids and reducing opioid prescribing to satisfy the requirement of RSA 318-B:40. Board Action: 6/7/17 – On motion of Dr. Dibble, seconded by Dr. Baker, approved. Unanimous.
19. May 26, 2017 e-mail from Dubravko M. Kuftinec, M.D. requesting the Board allow him to renew his license and allow him additional time to complete his CMEs for the cycle January 1, 2015 through December 31, 2016. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Potenza, inform Dr. Kuftinec that the Board can put him on the inactive list and when his CMEs are completed, he can reinstate his license. If he lapses his license effective 6/30/17, and he completes the required CMEs within 90 days of the expiration date, he can renew with the late fee. Unanimous.
20. May 30, 2017 e-mail from Michelle RiccoJonas, Program Manager, PDMP, regarding “Upcoming Changes to the PDMP.” Board Action: 6/7/17 – Tabled. Ms. Taylor to forward e-mail to Dr. Baker.

VI. OTHER PUBLIC ORDERS ISSUED:

None.

VII. DISCIPLINARY PROCEEDINGS:

HEARINGS SCHEDULED:

WILLIAMS, Edward J., M.D. – Hearing scheduled for September 6, 2017 from 1pm to 7pm and October
DILLON, Kasey L., P.A. 4, 2017 from 1pm to 7pm.

Case #: 2014-43

Dr. Rosenthal recused.

Dr. Dibble 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.

12/12/16 – Letter from Attorney Cassidy indicating that if the hearing goes forward, he is requesting that it be scheduled to a date other than March 1, 2017, as he is expected to be out of the country at the time.

Board Action: 01/4/17 – On motion of Mr. Sullivan, seconded by Dr. Barr, the Board grants Attorney Cassidy's request to reschedule the hearing and has rescheduled the hearing to May 3, 2017 at 1:00 P.M.

01/11/17 – *Procedural Order* issued rescheduling the hearing to May 3, 2017 at 1:00 P.M.

02/22/17 – Request from Attorney Cassidy for a prehearing conference. Attorney Cassidy also indicates he is scheduled to begin a trial on May 1, 2017, which is expected to take 6 or 7 business days, therefore he will not be available for this hearing on May 3, 2017.

Board Action: 03/1/17 – On motion of Dr. Barr, seconded by Dr. Wheeler, Dr. Dibble will send Ms. Taylor a couple of dates he is available and Ms. Taylor will schedule a prehearing conference. Unanimous.

03/23/17 – *Procedural Order* issued.

04/06 17 – Prehearing Conference held.

04/10/17 – Request from Attorney Cassidy for a continuance of the hearing.

04/13/17 – *Procedural Order* and *Order on Motion to Continue* issued.

04/06/17 – *Hearing Counsel's Preliminary List of Witnesses and Exhibits.*

04/12/17 – *Preliminary List of Witnesses and Exhibits of Respondents Kasey L. Dillon P.A., and Edward J. Williams, M.D.*

04/26/17 – Letter from Attorney Cassidy's office indicating the following four dates in August that the parties are available for the hearing: August 15, 26, 24 and 25.

Board Action: 05/3/17 – On motion of Dr. Barr, seconded by Dr. Dibble, schedule hearing for September 6, 2017 from 1pm to 7pm and October 4, 2017 from 1pm to 7pm. Unanimous.

05/11/17 – E-mail from Christopher M. Bracci, Esq. indicating counsel for Dr. Williams and Ms. Dillon have a conflict with the October 4, 2017 date and are asking if it is possible to coordinate a different second date.

06/02/17 – *Assented to Motion of Respondents, Kasey L. Dillon, P.A., and Edward J. Williams, M.D., to Continue Day 2 of the Adjudicatory Hearing Scheduled for October 4, 2017.*

Board Action: 06/7/17 – On motion of Mr. Sullivan, seconded by Dr. Dibble, September 6, 2017 and October 4, 2017 are the only dates the Board can achieve a quorum, therefore, Respondents Motion to Continue Day 2 of the Adjudicatory Hearing Scheduled for October 4, 2017 is denied. Unanimous.

HEARINGS HELD PENDING FINAL DISPOSITION:

CAMERON, Carol L., M.D. – Hearing scheduled for April 5, 2017 at 3:00 P.M.

Case #: 2014-383

Dr. Barr is the Presiding Officer.

No Hearing Counsel from APU.

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.

03/24/17 – *Motion to Continue Hearing to Show Cause and Deadline to Submit Documents* submitted by Dr. Cameron.

03/30/17 – *Order on Motion to Continue.*

04/05/17 – Hearing held. Ms. Taylor to remind Dr. Cameron that she has two (2) weeks from the date of the hearing, or until April 19, 2017 at 4:00 P.M., to submit her final marked exhibits.

04/19/17 – Exhibits A through J received.

Board Action: 05/3/17 – Action taken in non-public session.

GELLER, Aaron S., M.D. – Hearing scheduled for December 7, 2016 from 1:00 P.M. to 5:30 P.M. and January 30, 2017, January 31, 2017 from 8:00 A.M. to 4:00 P.M. each day.

Docket #: 15-08

Cases included: 2012-490, 2013-17 and 2013-250.

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).

12/01/16 – *Procedural Order*

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.

12/12/16 – *Scheduling Order* scheduling the continuance of the hearing for January 30-31, 2017 from 8:00 A.M. to 4:00 P.M. each day and tentatively scheduled for March 13-14, 2017 from 8:00 A.M. to 4:00 P.M. each day.

01/11/17 – *Amended Procedural Order* indicating that the two full days scheduled in January shall be sufficient for the presentation of all evidence and no further dates will be scheduled.

01/31/17 – Hearing completed.

HEARINGS WITH DATE TO BE DETERMINED:

MASEWIC, Matthew J., M.D. – Hearing continued. Date to be determined.

Docket #: 16-04

Cases included: 2015-276, 2015-366, 2015-424, 2016-65 and 2016-222.

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	Yes
Dr. Baker	Yes
Dr. Wheeler	Yes
Mr. Sullivan	Yes
Mr. Waters	Yes

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.

06/08/16 – Renewal Application dated June 7, 2016 received from Dr. Masewic.

09/06/16 – *Notice of Hearing to Show Cause ("NOH to Show Cause")* was issued regarding the license renewal application of Dr. Masewic to show cause to the Board why Dr. Masewic's application to renew his license should be approved. This *NOH to Show Cause* states that this is consolidated with the *Order of Emergency Conditional License Suspension and Notice of Hearing*, Docket No. 16-04, and that the Applicant shall appear before the Board at the date and time established by the Presiding Officer for the hearing on the *Order of Emergency Conditional License Suspension* and will be taken up following the hearing on Docket No. 16-04.

SONI, Shashibala, M.D. – Hearing date to be determined.

Dr. Potenza is the Presiding Officer.

No Hearing Counsel from APU.

03/08/17 - Request for Hearing from Adam B Pignatelli, Esq., counsel for Shashibala Soni, M.D., pursuant to Dr. Soni's February 8, 2017 Order of Conditional Denial.

Board Action: 4/5/17 – On motion of Dr. Potenza, seconded by Dr. Barr, schedule hearing for June 7, 2017 at 1:00 P.M. Dr. Potenza will be the Presiding Officer.

04/21/17 – *Shashibala Soni, M.D.'s Motion to Continue Hearing*, submitted by Adam B. Pignatelli, Esq., counsel for Dr. Soni.

Board Action: 5/3/17 – On motion of Dr. Barr, seconded by Dr. Fanciullo, approve Motion to Continue and schedule hearing for July 5, 2015 at 1:00 P.M.

Board Action: 6/7/17 – Attorney Cusack informed the Board that Attorney Pignatelli contact her to see if there was a possibility of Dr. Soni withdrawing her application for license as she may not have a job in N.H. On motion of Dr. Dibble, seconded by Mr. Sullivan, continue hearing now scheduled for July to a date to be determined pending information from Attorney Pignatelli regarding Dr. Soni's potential request for withdrawal. Unanimous.

VIDAVER, Robert C., M.D. – Hearing not scheduled.

Docket #: 15-04

Dr. Rosenthal 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. Rosenthal 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.