

MINUTES

July 5, 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: Michael Barr, M.D., President of the Board; Emily R. Baker, M.D., Vice President of the Board; 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: John H. Wheeler, D.O.

Motion to commence 1st non-public session:

On motion of Dr. Potenza, seconded by Dr. Conway, 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. Fanciullo, 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. Fanciullo, the Board voted to go into public session.

Motion to commence 2nd non-public session:

On motion of Mr. Sullivan, seconded by Dr. Baker, the Board voted to conduct a non-public session for the purpose of discussing 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. Barr and the second of Dr. Baker, 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. Barr, seconded by Dr. Baker, the Board voted to go into public session.

**MINUTES
PUBLIC SESSION
BOARD OF MEDICINE
July 5, 2017**

MEETINGS/INTERVIEWS/HEARINGS WITH THE BOARD:

12:00 P.M. – Adnan Khan, M.D. and Chad P. Brouillard, Esq, attorney for Dr. Khan, to meet with Board regarding AMI’s Education Proposal and Dr. Khan’s Supervision Agreement, pursuant to his Settlement Agreement with the Board dated April 12, 2017.

Board Action: 7/5/17 – On motion of Dr. Fanciullo, seconded by Dr. Potenza, accept the Supervision Agreement naming Steven Powell, M.D. as Dr. Khan’s supervisor pursuant to his Settlement Agreement with the Board dated April 11, 2017. *Dr. Dibble and Dr. Conway recused.* All others concurred.

12:30 P.M. – Nick Perencevich, M.D., Physician Investigator

Board Action: 7/5/17 – Dr. Perencevich did not meet with the Board.

1:00 P.M. – Hearing regarding Shashibala Soni, M.D.

Board Action: 7/5/17 – Hearing held.

Actions authorized during 1st non-public session:

I. NEW APPLICATIONS:

PHYSICIAN

TEMPORARY LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for temporary license. Unanimous.

BRAZALOVICH, Alexander, D.O. – Family Practice – University of New England College of Osteopathic Medicine, 1995.

PHYSICIAN LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for full license. Unanimous.

AGUILAR, Celia M., M.D. – Emergency Medicine (Board Certified) – University of Tennessee Memphis College of Medicine, 1995.

ALAWANI, Ebba M.A., M.D. – Dermatology – King Abdulaziz University in Saudi Arabia, 2004.

BRODSKY, Drew A., M.D. – Anesthesiology (Board Certified) – New York Medical College, 1983.

DEV, Nimret, D.O. – Family Medicine (Board Certified) – University of North Texas, 2003.

DUFFY, Ryan K., M.D. – Orthopaedic Surgery – Drexel University, 2008.

GAGNON, Paul M., D.O. – Diagnostic Radiology (Board Certified) – University of New England College of Osteopathic Medicine, 1987.

GILES, Robert A., M.D. – Emergency Medicine (Board Certified) – Wayne State University School of Medicine, 1995.

KIM, Christopher S., D.O. – Internal Medicine – Kansas City University of Medicine & Biosciences, 2004.

NASSTROM, Richard, D.O. – Psychiatry – Western University of Health Sciences, College of Osteopathic Medicine of the Pacific, 2013.

PITA DE OLIVEIRA, Luiz O., M.D. – Internal Medicine (Board Certified) – Universidade Federal Fluminense in Brazil, 1996.

WERTH, Jeremy B., M.D. – Family Practice – Eastern Virginia Medical School, 2013.

PHYSICIAN

LICENSES: Board Action: 6/7/17 – On motion of Dr. Fanciullo, seconded by Mr. Sullivan, request additional information. Unanimous. Board Action: 7/5/17 – Tabled.

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. Board Action: 7/5/17 – Tabled.

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

PHYSICIAN REINSTATEMENT

LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for reinstatement of license. Unanimous.

WHEELER, Kevin G., M.D. – Emergency Medicine – Duke University School of Medicine, 1998.

PHYSICIAN

ASSISTANT LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for full license. Unanimous.

CHAMPEAU, Matthew J., P.A.

CONSENT TEMPORARY

PHYSICIAN LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for temporary license. Unanimous.

CLYNE, Christopher, M.D. – Internal Medicine (Board Certified) – SUNY Upstate, 1983.

RAHIMI, Karim M., M.D. – Internal Medicine (Board Certified) – Kabul Medical Institute in Afghanistan, 2006.

REYNOLDS, Matthew T., D.O. – Emergency Medicine (Board Certified) – Lake Erie College of Osteopathic Medicine, 2010.

CONSENT

PHYSICIAN LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for full license. Unanimous.

ANDRIS, Joseph L., M.D. – Family Practice (Board Certified) Meharry Medical College School of Medicine, 1994.

BACKMAN, Jenny G., M.D. – OB/GYN – Boston University, 2013.

BARLOW, James D., D.O. – Family Practice – Edward Via Virginia College of Osteopathic Medicine, 2014.

BARRETT, Juliann, D.O. – Family Practice (Board Certified) – University of New England College of Osteopathic Medicine, 2010.

BETTWIESER, Stephen P., M.D. – Psychiatry – University of Utah School of Medicine, 2015.

BHATT, Ananta, M.D. – Internal Medicine (Board Certified) – Meharry Medical College, 2011.

BLUM, Jared A., M.D. – Emergency Medicine (Board Certified) – University of Vermont, 2009.

BOUTRUS, Amanda B., M.D. – Internal Medicine – University of Vermont, 2014.

COOKE, Tyler L., M.D. – Radiology (Board Certified) – Eastern Virginia Medical School, 2006.

COTTERELL, Mark S., M.D. – Psychiatry (Board Certified) – Creighton University, 1987.

CUNNINGHAM, Cameron S., M.D. – Anesthesiology – University of Missouri-Kansas City School of Medicine, 2014.

DAGROSA, Lawrence M., M.D. – Urology – University of Vermont, 2013.

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

EPELBAUM, Daniel M., M.D. – Psychiatry (Board Certified) – Universidad De Buenos Aires, 2001.

FALARDEAU, John L., M.D. – Diagnostic Radiology (Board Certified) – University of Massachusetts Medical School, 2010.

FLANIGAN, Alan T., M.D. – Emergency Medicine (Board Certified) – Virginia Commonwealth University School of Medicine, 2002.

GERJEVIC, Kristen A., M.D. – OB/GYN – University of Iowa Carver College of Medicine, 2013.

HARROP, Daniel S., III, M.D. – Psychiatry (Board Certified) – The Warren Alpert Medical School of Brown University, 1979.

HAUPTMANN, Ellen M., M.D. – Diagnostic Radiology (Board Certified) - University of Missouri-Kansas City School of Medicine, 1985.

HOYT, Brian S., M.D. – Dermatology – University of Texas-Houston Medical School, 2014.

HUGHES, Peter D., M.D. – Anesthesiology – University of Minnesota, 2015.

KANG, Jeanwan, M.D. – Vascular Surgery (Board Certified) – Harvard Medical School, 2003.

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

LAHEY, Michael J., Jr., M.D. – Emergency Medicine – University of Vermont, 2013.

LAKE, Matthew B., M.D. – Anesthesiology – West Virginia University, 2015.

LEDERMANN, Eric J., D.O. – Diagnostic Radiology (Board Certified) – Lake Erie College of Osteopathic Medicine, 2009.

MA, Liqiao, M.D. – Dermatology – University of Texas Southwestern Medicine Center at Dallas, 2013.

MASON, Glenn A., M.D. – Diagnostic Radiology (Board Certified) – Louisiana State University School of Medicine New Orleans, 1988.

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

NASH, David R., M.D. – Allergy & Immunology (Board Certified) – University of Cincinnati College of Medicine, 1989.

NG, Chee Y., M.D. – Cardiovascular Disease (Board Certified) – Jefferson Medical College of Thomas Jefferson University, 2009.

NOVAK, Sean H., M.D. – Diagnostic Radiology – University of California Los Angeles School of Medicine, 2011.

PALLARES, Juan C., M.D. – Diagnostic Radiology (Board Certified) – Universidad Nacional De Asuncion in Paraguay, 1973.

QURESHI, Muhammad M., M.D. – Child Neurology (Board Certified) – Dow Medical College University of Karachi in Pakistan, 1997.

ROSNER, Howard M., D.O. – Internal Medicine (Board Certified) – Philadelphia College of Osteopathic Medicine, 1984.

SCHULTZ, Susannah M., D.O. – Anesthesiology – University of New England College of Osteopathic Medicine, 2013.

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

SHEA, Katherine M., M.D. – Psychiatry – Dartmouth Medical School, 2009.

SMITH DE CHERIF, Teresa K.E., M.D. – Infectious Diseases – University of Miami Miller School of Medicine, 2002.

SNYDER, Benjamin M., M.D. – Orthopaedic Surgery – Dartmouth Medical School, 2010.

SPIER, Cindy J., M.D. – Family Medicine (Board Certified) – University of Toronto in Canada, 1994.

TINTNER, Ron, M.D. – Neurology (Board Certified) – University of Florida College of Medicine, 1980.

CONSENT PHYSICIAN

REINSTATEMENT LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for reinstatement of license. Unanimous.

KNOFF, Jon-Richard, M.D. – Anesthesiology (Board Certified) – University of Kansas, 1996.

VOISINE, Rodney J., M.D. – Anesthesiology (Board Certified) – State University of New York at Buffalo School of Medicine, 1989.

CONSENT PHYSICIAN

ASSISTANT LICENSES: Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, approve for full license. Unanimous.

- ABELL, Jeffrey P., P.A.
- ARGO, Kyle D., P.A.
- BELABIN, Jeffrey H., P.A.
- GILLIES, Cyril A., P.A.
- HARWOOD, Robynlynn A., P.A. **(Pending RSA/ARSP)**
- HOLDER, Elyse E., P.A.
- MILLER, David L., P.A.
- MITCHELL, Margaret V., P.A. **(Pending RSP/ARSP)**
- TURNER, Gabrielle L., P.A.

COMPACT

PHYSICIAN LICENSES: To be ratified by the Board at its July 5, 2017. Board Action: 7/5/17 – On motion of Dr. Dibble, seconded by Dr. Fanciullo, ratify full licenses. Unanimous.

- BEHRENS, JACOB M., M.D. licensed on June 20, 2017
- KRAININ, JOSEPH GORDON, M.D. licensed on June 26, 2017
- STRACKE, CARSTEN PAUL, M.D. licensed on June 20, 2017
- YOVICHIN, MARK D., M.D. licensed on June 20, 2017

Dr. Dibble left the meeting.

II. Draft Minutes from the June 7, 2017 Board meeting. Board Action: 6/7/17 – On motion of Mr. Sullivan, seconded by Dr. Baker, 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. **Board Action: 7/5/17** – Tabled.
- 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. **Board Action: 7/5/17** – Tabled.
- T4.** 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. **Board Action: 7/5/17** – On motion of Dr. Baker, seconded by Dr. Barr, prepare Order on Motion for Clarification indicating the Board is satisfied that a position as a Medical Director or Associate Medical Director at a facility complies with the terms of the Settlement Agreement. Unanimous.

T5. 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. **Board Action: 7/5/17** – Board Action: 7/5/17 – On motion of Dr. Fanciullo, seconded by Dr. Potenza, accept the Supervision Agreement naming Steven Powell, M.D. as Dr. Khan's supervisor pursuant to his Settlement Agreement with the Board dated April 11, 2017. *Dr. Dibble and Dr. Conway recused.* All others concurred.

T6. 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. **Board Action: 7/5/17** – Tabled. Dr. Fanciullo to draft a response.

V. PUBLIC - NEW BUSINESS:

A. Informational:

1. June 19, 2017 memorandum from Lisa Robin, Chief Advocacy Officer, Federation of State Medical Boards, regarding "2017 Annual Meeting of the American Medical Association." Board Action: 7/5/17 – File.

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:
 - Trustin Ennacheril, M.D., ext. to June 30, 2017
 - Robert Gougelet, M.D., ext. to June 30, 2017
 - Ira H. Lubkin, M.D., ext. to June 30, 2017
 - Antonio Macias, M.D., ext. to July 31, 2017
 - Eric C. McDougall, M.D., ext. to March 31, 2017
 - Adam S. Tanzer, M.D., ext. to June 30, 2017
 - Marshall Stambovsky, M.D., ext. to July 31, 2017
 - Lara Moody, M.D., ext. to July 15, 2017
 - Kingson Woo, M.D., ext. to June 30, 2017
 - Matthew J. Goldberg, D.O., ext. to August 31, 2017
 - Umesh Bhandari, M.D., ext. to September 30, 2017
 - Lane Beatty, M.D., ext. to June 30, 2017
 - Lisa K. Stolper, M.D., ext. to September 30, 2017
 - Alireza Vaziri, M.D., ext. to June 30, 2017

Board Action: 7/5/17 – On motion of Dr. Potenza, seconded by Dr. Barr, approve extensions as listed above. 5-1 motion carries.

2. June 5, 2017 e-mail from Peter Danles, Executive Director, OPLC, regarding RSA 332-G:7 (Boards considering military personnel and spouses for licensing and certification). Board Action: 7/5/17 – On motion of Dr. Barr, seconded by Dr. Potenza, file. Inform Mr. Danles that the Board has been informed of the law. Unanimous.
3. June 14, 2017 e-mail from Joann Batty, M. Adult Ed., Continuing Education Coordinator, The Mental Health Center of Greater Manchester, requesting approval of a Mental Health Center of Greater Manchester Grand Rounds to satisfy the requirements of RSA 318-B:40. Board Action: 7/5/17 – On motion of Dr. Fanciullo, seconded by Mr. Sullivan, approved. *Dr. Potenza recused.* All others concurred.
4. June 9, 2017 letter from William M. Zurhellen, M.D. requesting approval of the New York State CME three-hour program on Pain Management, Palliative Care and Addiction, to satisfy the requirements of RSA 318-B:40. Board Action: 7/5/17 – On motion of Dr. Fanciullo, seconded by Mr. Sullivan, approved. Unanimous.
5. Letter from Greg R. Thompson, M.D., received by the Board on June 23, 2017, requesting approval of either Ram Yadati, M.D. or Wassfy Hanna, M.D. to be his Consultant and Monitor, pursuant to the requirements in Dr. Thompson’s December 14, 2016 Consent Agreement. Attached to the letter is a syllabus and CME certificate from a two day conference regarding Medical Records, to comply with Dr. Thompson’s Consent Agreement. Board Action: 7/5/17 – On motion of Mr. Sullivan, seconded by Dr. Baker, inform Dr. Thompson that the 15 hours of CMEs in the area of medical record keeping satisfies that requirement of the Settlement Agreement, however, he still needs to complete 15 hours of CMEs in the area of medical ethics. Also, inform Dr. Thompson that the Board has no objection to either Dr. Yadati or Dr. Hanna, but he will need to choose one, present their credentials and submit a detailed monitoring plan for the Board’s review. Unanimous.
6. June 26, 2017 e-mail from Joy Potter, NH Medical Society, requesting approval of the NH Medical Society Annual Scientific Conference November 3-5, 2017 to satisfy the requirements of RSA 318-B:40. Board Action: 7/5/17 – On motion of Dr. Fanciullo, seconded by Mr. Sullivan, approved. Unanimous.
7. June 20, 2017 request from Tanya Rule, P.A. for reappointment to the Medical Review Subcommittee. Board Action: 7/5/17 – On motion of Mr. Sullivan, seconded by Dr. Baker, recommend Ms. Rule to Governor and Council for her first full term. Unanimous.
8. June 27, 2017 request from Wendy M. Murphy, BSN, Med, RN, Dartmouth-Hitchcock, for approval of “Neurology Grand Rounds – Abuse-Deterrent Opioids” by Hieu Hoang, M.D. to satisfy one hour of the requirements of RSA 318-B:40. Board Action: 7/5/17 – On motion of Dr. Fanciullo, seconded by Mr. Sullivan, approved. Unanimous.

VI. OTHER PUBLIC ORDERS ISSUED:

None.

VII. DISCIPLINARY PROCEEDINGS:

HEARINGS SCHEDULED:

SONI, Shashibala, M.D. – Hearing scheduled for July 5, 2017 at 1:00 P.M.

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, 2017 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.

6/9/17 – Attorney Pignatelli confirmed that Dr. Soni will attend the hearing on July 5, 2017.

Board Action: 7/5/17 – Hearing held. Tabled. Ms. Taylor will provide a draft order and a "conditional" license template for review at the Board's August 2, 2017 meeting. *Dr. Dibble was present for this discussion and vote.* 5-2 motion carries.

SPELMAN, Gayle, P.A. – Hearing scheduled for August 2, 2017 at 1:00 P.M.

Case #: 2016-95

Dr. Conway recused.

Dr. Dibble is the Presiding Officer.

Matthew Mavrogeorge, Esq. is Hearing Counsel from APU.

Board Action: 06/7/17 – On motion of Mr. Sullivan, seconded by Dr. Potenza, approve Notice of Hearing. The hearing will be held on August 2, 2017 at 1:00 P.M. The Presiding Officer will be Dr. Dibble. Unanimous.

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.

GIORDANO, Geoffrey M., D.O. – Hearing scheduled for November 1, 2017 at 1:00 P.M.

Case #: 2016-61

Dr. Conway recused.

Mr. Sullivan is the Presiding Officer.

Michelle Heaton, Esq. is Hearing Counsel from APU.

Board Action: 06/7/17 – On motion of Dr. Dibble, seconded by Mr. Sullivan, issue Notice of Hearing as amended. The hearing is scheduled for November 1, 2017 at 1:00 P.M. Mr. Sullivan will be the Presiding Officer. 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.

Board Action: 07/5/17 - On motion of Mr. Sullivan, seconded by Dr. Barr, reconsider previous decision. 6-1 motion carries. On motion of Dr. Barr, seconded by Dr. Fanciullo, accept order as drafted. Action taken in non-public session. 6-1 motion carries.

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.

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.