



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

**PUBLIC MINUTES**  
**October 4, 2023**

**I. Call to Order**

The regularly scheduled meeting of the New Hampshire Board of Medicine was held at 7 Eagle Square on October 4, 2023. Unless otherwise indicated, the members present, and participating were:

Emily Baker, M.D., President  
David Goldberg, M.D.,  
Jonathan Ballard, M.D.  
Jonathan Eddinger, M.D.  
Daniel Frazee, P.A.  
Linda M. Tatarczuch, Public Member  
Nina C. Gardner - Public Member – Absent  
Marc Bertrand, M.D., Vice President – Absent  
Richard Kardell, D.O. - Absent  
Shane Goulet, Esquire, Board Counsel  
Talia Wilson, Senior Board Administrator  
Charlene Anstead, Board Administrator  
Nikolas Frye – Hearing Officer

Dr. Baker, Board President, opened the meeting at 8:21 a.m.

***Motion to commence 1<sup>st</sup> non-public session:***

***8:21 a.m.*** *On motion of Jonathan Eddinger and seconded by Jonathan Ballard, 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 roll call vote of all members present.*

***Motion to keep minutes of 1<sup>st</sup> non-public session confidential:***

*Upon the motion of David Goldberg and seconded by Jonathan Eddinger, 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 roll call vote of all members present.*

***Motion to commence 2nd non-public session:***

***9:50 a.m.*** *On motion of David Goldberg and seconded by Jonathan Eddinger, 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 roll call vote of all members present.*

***Motion to keep minutes of 2<sup>nd</sup> non-public session confidential:***

*Upon the motion of David Goldberg and seconded by Linda Tatarczuch, 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 roll call vote of all members present.*

***Motion to commence 3rd non-public session:***

***10:42 a.m.*** *On motion of David Goldberg and seconded by Jonathan Ballard, 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 roll call vote of all members present.*

***Motion to keep minutes of 3rd non-public session confidential:***

*Upon the motion of Linda Tatrzech and seconded by David Goldberg, 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 roll call vote of all members present.*

***Motion to commence 4<sup>th</sup> non-public session:***

***12:30 p.m.*** *On motion of Jonathan Eddinger and seconded by David Goldberg, 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 roll call vote of all members present.*

***Motion to keep minutes of 4th non-public session confidential:***

*Upon the motion of Jonathan Eddinger and seconded by Jonathan Ballard, 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 roll call vote of all members present.*

The below times are notated for breaks taken by the Board;

9:04 am – Returned at 9:10 am

10:16am – Returned at 10:26 am

**II. Approval Of Minutes – September 6, 2023**

On motion of David Goldberg and seconded by Linda Tatarzuch, the Board voted by roll call to approve the minutes of September 6, 2023, as written with Jonathan Eddinger abstaining.

### **III. Public Appearances/Hearings Before the Board**

#### **A. Application Status Hearing**

1. Jayakumar Patil, MD – Docket #19-MED-004  
Status Hearing adjudicative hearing for Settlement Agreement compliance.

#### **B. Application Show Cause Hearing**

1. Layhong Soth, MD – Docket #23-MED-026 - ABSENT  
Show Cause Non-Disciplinary Hearing – review of explanation on application.
2. Stephen Mitchell, DO – Docket #23-MED-025 - ABSENT  
Show Cause Non-Disciplinary Hearing – review of explanation on application.

#### **Attending Counsel:**

Attorney Nikolas Frye, Hearing Officer  
Attorney Shane Goulet, Board Counsel

#### **Witnesses that testified:**

Jayakumar Patil, MD – Respondent  
Layhong Soth, MD – Respondent not in attendance  
Stephen Mitchell, DO – Respondent not in attendance.

#### **A. Jayakumar Patil, MD Hearing commenced at 9:11 am.**

The Status Hearing for Psychiatrist Jayakumar Patil commenced at 9:11 am. Hearing Officer Frye reviewed the procedural matters and swore in Jayakumar Patil for testimony. Jonathan Eddinger recused himself for this hearing. The status hearing has been scheduled to ensure Mr. Patil is consistently in compliance with his Settlement Agreement. Hearing Officer Nikolas Frye opens the hearing by reciting exhibits that have been presented to the Board. Mr. Patil testified that he has changed his style in the way he practices. Mr. Patil testified that he has been following the guidelines from his mentor and described changes he has made to ensure compliance. After questions from the Board the hearing closed at 9:49am.

#### **B. Layhong Soth, MD – Docket #23-MED-026**

On a motion by David Goldberg and seconded by Jonathan Ballard, the Board voted to continue moving forward and schedule another Pre-Hearing Conference.

C. Stephen Mitchell, DO – Docket #23-MED-025

On a motion by David Goldberg and seconded by Jonathan Ballard, the Board voted to continue moving forward and schedule another Pre-Hearing Conference.

D. Skip Berrien

Mr. Berrien spoke with the Board to consider introducing a bill in the next legislative session that would improve the healthcare response to abused and neglected children. Mr. Berrien insists that there are cases that are continually missed and suggested that mandatory reporting get included in upcoming legislation.

**IV. License Applications**

On motion by David Goldberg and seconded by Jonathan Eddinger, the Board voted unanimously by roll call to approve the following licenses reviewed during non-public session.

Barton, Dorothea  
Turabova MD, Charoskhon  
Al-Kaabi MD, Aba  
Harrison MD, Daniel  
Glover MD, Hillel  
Hussain MD, Zakir  
Carol MD, Susan  
Obregon MD, Guillermo  
Zheng MD, Wen Qian  
George MD, Bassem  
McGann DO, Kevin  
Fitzsimmons MD, Brian-Fred M.  
Fernandez MD, Angel  
Gatalica MD, Zoran  
Aleali MD, Seyedehbatol  
Reina MD, Brigitte  
Morizio MD, Alex  
Sakai MD, Osamu  
Kessler MD, Anne  
Nugent MD, William - Locum  
Nugent MD, William  
Bhandari MD, Rekha  
Coffman MD, Stewart  
Ali MD, Mahmoud  
Subarhmanyman MD, Lakshman

Rahman MD, Saiyeda  
Park MD, Peter  
Prakash MD, Neal  
Rancanelli MD, Joseph  
Young MD, Serena

On motion by Linda Tatarczuch and seconded by David Goldberg, the Board voted unanimously by roll call to issue a non-disciplinary show cause hearing notice on the following applications reviewed during non-public session.

Quintero Del Rio MD, Ana

On motion by David Goldberg and seconded by, Jonathan Eddinger the Board voted unanimously by roll call to issue a Administrative License.

Barker MD, Tobias

**V. Board President Report**

Board President Emily Baker informed the Board that the process to create different license types and rulemaking for conditional licenses will begin. A work group will be created that will consist of Board Counsel Shane Goulet; Senior Board Administrator Talia Wilson and will also include one member from the Board.

**VI. Board Administration/OPLC Updates**

None

**VII. Public New Business**

PDMP – informational only, no action required.

**VIII. Rules/Laws**

**A. Rules with OPLC Rules Coordinator Tina Kelley**

1. Med 200's - Adopt

On a motion by Jonathan Eddinger and seconded by Jonathan Ballard, the Board voted to adopt the Med 200's as written.

2. Med 600's – Conditional Approval

The Board reviewed the conditional approval of various 600 administrative rules. The Board took into consideration submitted comment from David Cuzzi from NHSPA. On a motion by Jonathan Eddinger and seconded by Jonathan Ballard, the Board voted to approve the Med 600's.

3. Legislation with Board Counsel

Discussion regarding HB 308 and HB 321 have been tabled at this time.

**IX. Adjournment:**

On motion by Emily Baker and seconded by David Goldberg, the Board voted unanimously by roll call to adjourn the public session at 3:25 p.m.