

STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
BOARD OF MEDICINE

7 EAGLE SQUARE, CONCORD, NH 03301-4980
Telephone: 603-271-2152
TDD Access: Relay NH 1-800-735-2964
www.oplc.nh.gov

**BOARD OF MEDICINE
MINUTES
PUBLIC SESSION**

February 7, 2024

I. Call to order

The regularly scheduled meeting of the New Hampshire Board of Medicine was held at 7 Eagle Square, Concord, NH on February 7, 2024. Unless otherwise indicated, the members present and participating were;

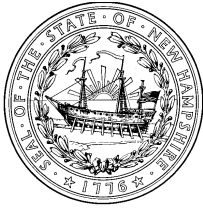
Jonathan Eddinger, MD – President
Marc Bertrand, MD – Vice President
Emily Baker, MD member
Nina Gardner – Public member – via zoom
Linda Tatarzuch – Public member
David Goldberg, MD member
Jonathan Ballard, MD member
Richard Kardell, DO – via zoom
Daniel Frazee, PA – via zoom
Beatrice Engstrand, MD – via zoom
Shane Goulet, Board Counsel
Cassandra Brown, Board Counsel
Charlene Anstead, Board Administrator
Alex Fisher, Board Administrator
Hearing Officer, Nicholas Frye
Administrative Prosecutor, Marissa Schuetz

Dr. Eddinger, Board President opened the meeting at 8:14 am.

On a motion by Nina Gardner and seconded by Emily Baker, the Board voted unanimously by roll call to approve the remote participation for Board members that could not attend in-person.

Motion to commence 1st non-public session:

8:19 am. On motion of Nina Gardner and seconded by Emily Baker, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee



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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 1st non-public session confidential:

Upon the motion of Jonathan Eddinger and seconded by Marc Bertrand, 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:

11:28 am. On motion of Nina Gardner and seconded by Marc Bertrand, 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 2nd non-public session confidential:

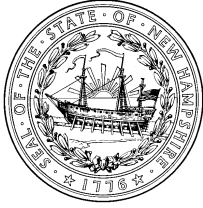
Upon the motion of Richard Kardell and seconded by David Goldberg, the Board voted to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other 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.

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

10:08 am - returned at 10:20 am.

12:09 pm - returned at 12:32 pm.

9:38 am Board Chair Jonathan Eddinger exited the meeting to testify at the State house and returned



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at 10:53 am.

II. Approval of Public minutes – January 10, 2023

On a motion by Richard Kardell and seconded by Linda Tatarzuch, the Board voted unanimously by roll call to approve the public minutes of January 10, 2023 as amended.

III. Public appearances/Hearings before the Board

A. Hearings

1. Laura Purdy, MD Docket #23-MED-032

The hearing for Laura Purdy commenced at 1:02 pm. The issue considered is whether the NH State Board of Medicine should impose reciprocal discipline per RSA 310:12. Hearing Officer Nicholas Frye swore in Laura Purdy, MD and the respondent gave testimony to the Board for consideration. After questions from Prosecutor Schuetz and the Board, the hearing closed at 1:37 pm. The deliberations for this matter were reviewed, discussed and voted on in non-public session.

2. Bernard Perlman, MD Docket #24-MED-001

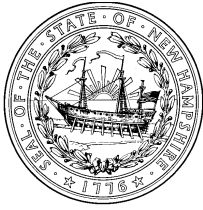
The hearing for Bernard Perlman commenced at 1:46 pm. The issue to be considered is the Board needed an explanation as to why he has not been in the practice of clinical medicine in the last 12 months as indicate on his application for licensure. Hearing Officer Frye swore in the Bernard Perlman and the respondent gave testimony to the Board for consideration. After questions from Prosecutor Schuetz and the Board, the hearing closed at 2:17 pm. The deliberations for this matter were reviewed, discussed and voted on in non-public session.

3. Andrew Robitaille, PA Docket #24-MED-002

The hearing for Andrew Robitaille was not conducted as the respondent was not present. In lieu of the respondent's attendance, the Board reviewed and considered the respondents Motion to Dismiss submitted. After considering the Motion to Dismiss, the Board discussion and deliberations were voted on in non-public session.

IV. License applications

On a motion by Emily Baker and seconded By David Goldberg, the Board voted unanimously by roll call to approve the following licenses reviewed;



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Michael Brown, MD
Carol Frier, MS
Mark Goldstien, MD
Donna Ron, MD (Marc Bertrand recused on this one vote)
Robert L. Warner, MD

V. **Board President report**

1. FSMB

Board Chair Jonathan Eddinger informed the Board about an introduction discussion with FSMB Engagement Coordinator Andrea Ciccone. The topic of the informative conversation was legislation pertaining to other states and how it may compare to New Hampshire laws.

2. **Board administration/OPLC updates**

1. Executive Director Lindsey Courtney: Petition for Declarative Ruling

The Board reviewed the Petition for Declaratory Ruling Submitted by Executive Director Lindsey Courtney.

3. **Public new business**

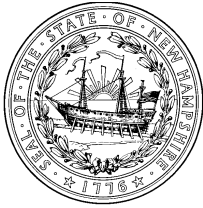
A. Report of the bylaws: FSMB

Upon a motion by Jonathan Ballard and seconded by Daniel Frazee, the Board voted unanimously by roll call to nominate Dr. Jonathan Eddinger to speak on behalf of the Board for the FSMB.

4. **Rules/laws**

A. Legislation with Board Counsel

Board Counsel Cassandra Brown gave the Board an update on upcoming legislation, specifically; the Sunset provision where it received public backlash at the hearing; HB 1427 regarding Deputy Physicians which would remove supervision requirements to serve underserved communities which received significant opposition in the executive session; HB 1222 requiring physician supervision while acquiring experience upon graduation.



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5. Adjournment

On a motion by Richard Kardell and seconded by Nina Gardner, the Board voted unanimously by roll call to adjourn the public session at 2:58 pm.