

Maine Board of Osteopathic Licensure  
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**Minutes of August 13, 2020 Virtual Board Meeting – 9:30 a.m. – 12:15 p.m.**

Members Present: Marty McIntyre, Public Member; Brian Gillis, D.O.; John Brewer, D.O.; James Pisini, DO ; Ryan Smith, D.O. Board members excused: Scott Thomas, D.O., Board Chair; Melissa , PA-C, Vice Chair; John Gaddis, DO, Board Secretary

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General; Savannah Okoronkwo, Consumer Assistant; Det. James Gioia, Office of the Attorney General; Emily Bloch, Esquire; Amanda Richards, Maine Osteopathic Association; Alan Hull, PA-C; Laura Harper, PA-C; Elizabeth Campbell, Esquire

Ms. McIntyre recited the script prepared specifically for virtual meetings, noted the 5 members present with introductions, welcomed those in the virtual audience and started the meeting.

**I. Complaints & Investigations**

Complaint and investigative reviews are conducted in Public Session without the use of names, unless otherwise noted.

**A. IN2018 19**

Following review of additional materials presented (as previously requested by the Board), Dr. Smith (Case Reporter) re-capped the case and the Board took this action:

**MOTION:** Made by Dr. Brewer, seconded by Dr. Gillis with the vote, via roll call being unanimous to issue a Board complaint due to unprofessional conduct. Dr. Smith, Case Reporter, abstained.

**B. CR2020 04**

Following review of the complaint, response and medical records, the Board took this action:

**MOTION:** Made by Dr. Pisini, seconded by Dr. Gillis with the vote, via roll call being unanimous to dismiss the complaint as it did not rise to a level which would warrant action against the licensee. Case Reporter, Dr. Thomas, was not present.

**C. CR2020 14**

Following review of the complaint, response and medical records, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Pisini with the vote via roll call being Ms. McIntyre, Dr. Smith and Dr. Pisini in favor to dismiss the complaint as it did not rise to a level which would warrant action against the licensee. Dr. Gillis abstained. Dr. Brewer, Case Reporter, abstained.

**D. CR2020 15**

Following review of the complaint, response and medical records, the Board took this action:

**MOTION:** Made by Dr. Gillis, seconded by Dr Brewer, with the vote via roll call being unanimous to dismiss the complaint as it did not rise to a level which would warrant action against the licensee. Dr. Pisini, Case Reporter, abstained.

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**E. CR2020 19**

Following review of the complaint , response and records, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Brewer with the vote via roll call being unanimous to dismiss the complaint but to issue a Letter of Guidance, to be on file for five (5) years, suggesting the use of a nurse/patient educator to help female patients understand what would be taking place and/or to consider different methods that might achieve the same goal without being as intrusive to a patient. Dr. Pisini, Case Reporter, abstained.

**F. IN2020 25**

Following an overview of the case by the Case Reporter as well as the materials received, the Board took this action:

**MOTION:** Made by Dr. Brewer, seconded by Dr. Pisini with the vote, via roll call being unanimous to issue a complaint based on unprofessional conduct, fraud and deceit. Ms. McIntyre, Case Reporter, abstained.

**G. IN2020 27**

Following an overview of the case by the Case Reporter as well as a thorough review the materials received, Board members took this action:

**MOTION:** Made by Dr. Pisini, seconded by Ms. McIntyre with the vote, via roll call being unanimous to issue a complaint regarding unlicensed practice (license renewal application not submitted in a timely manner) and writing prescriptions in violation of Rule Chapter 12. Dr. Brewer, Case Reporter, abstained.

**H. IN2020 32**

Following thorough review of the investigative materials presented, the Board took this action:

**MOTION:** Made by Dr. Pisini, seconded by Dr. Smith with the vote via roll call being unanimous, to issue a complaint regarding violations of Rule Chapter 21 and unprofessional conduct regarding prescribing. The Case Reporter, Dr. Thomas, was not present.

**I. IN2020 24**

Following an overview by the Case Reporter and review of the materials received, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Brewer with the vote via roll call being unanimous, to issue an emergency 30 day license suspension under 5 M.R.S. § 10004, based on a provider report indicating that the licensee is in ill health which could, in turn, affect the health and safety of patients. The suspension is effective this date. Dr. Smith, Case Reporter, did not vote.

**II. Consent Agreement Compliance Update**

**A. Andrew Candelore, DO**

Ms. McIntyre, Case Reporter noted the request for termination of the Consent Agreement. Following review and discussion, the Board took this action:

**MOTION:** Made by Dr. Brewer, seconded by Dr. Pisini with the vote via roll call being unanimous not to terminate the Consent Agreement but rather to continue it for one (1) year requiring more (and timely) substantive reports from his counselor with the next quarterly report being due in November. Ms. McIntyre, Case Reporter, abstained.

**III. Minutes/Revenue & Expense Reports**

**A. June 2020 Meeting Minutes**

Following their review of the draft June 2020 minutes, the Board took this action:

**MOTION:** Made by Dr. Brewer, seconded by Dr. Pisini with the vote, via roll call being unanimous to approve the June 2020 minutes as written.

**B. July 2020 Meeting Minutes**

Following their review of the draft July 2020 minutes, the Board took this action:

**MOTION:** Made by Dr. Brewer, seconded by Dr. Gillis with the vote, via roll call being 3 members in favor (Drs. Brewer, Pisini and Gillis) and 2 members abstaining (Ms. McIntyre and Dr. Pisini) as they were not present for the July meeting.

**C. Revenue & Expense Reports**

Board members reviewed and accepted the July 2020 reports provided by DAFS.<sup>1</sup>

**IV. Other Business**

**A. Medical Professionals Health Program Annual Report**

Board members reviewed the report included in their online materials and will review further online in order to save the cost of printing/ mailing it to each of them.

**B. Federation of State Medical Boards**

No material for review; no actions.

**C. AOA/AAOE Information/Updates**

Board members reviewed and discussed the information provided; no Board action necessary.

**D. Sub-Committee Members Needed**

Ms. McIntyre and Dr. Brewer were willing to join the other members of the Committee working on Legislative changes/updates.

**E. COVID-19 Report of Non-Compliance**

This matter, not on the original agenda, was reviewed as provided by the Dept. of Economic & Community Development, which provides the public with the ability to submit an online report regarding suspected non-compliance with guidelines related to the Pandemic. The reports are then referred to the appropriate agency for processing and review.

Following their review of the DECD guidelines and the reported concerns of alleged non-compliance, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Pisini with the vote, via roll call being unanimous to close the matter as the licensee's response indicated that appropriate precautions were, in fact, being taken and in compliance with the guidelines with appropriate social distancing in the waiting area and staff being more than the required 6' from anyone approaching the window with the window closed when no one is present.

**F. Review of Revisions to Chapter 2 – Basis Statement and Comments**

With the Board not scheduled to meet in September but the need to review the basis statement and response to comments needing to be reviewed in September, Board members took this action:

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<sup>1</sup> Division of Administrative & Financial Services

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**MOTION:** Made by Dr. Brewer, seconded by Ms. McIntyre with the vote, via roll call being unanimous to hold at least a brief meeting in September to address this important and time-sensitive matter.

**V. Licensure Matters**

**A. Barbara Steinbrecher, DO – Request to Withdraw Application for Permanent Licensure**

Following review of Dr. Steinbrecher’s request, the Board took this action:

**MOTION:** Made by Ms. McIntyre, seconded by Dr. Brewer with the vote, via roll call being unanimous to accept Dr. Steinbrecher’s request to withdraw her permanent licensure application.

**B. Permanent Licensure Applications**

Following review, the Board took these actions regarding permanent licensure applications:

**MOTION:** Made by Dr. Pisini, seconded by Dr. Brewer with the vote, via roll call being unanimous to approved the permanent licensure applications submitted by: Tishe Dalipi, D.O.; Russell Van Maele, D.O.; Rosalyn Schneider, D.O.; Robert Filippone, D.O.; Peffin Lee, D.O.; Lewis Jassey, D.O.; Kathleen Knipscher, D.O.; Kara Stuhr, D.O.; Erin Chandler, D.O.; Haeme Soffan, D.O.; Catherine McDermott, D.O.; Carolyn Ranten, D.O.; Edward Bender, D.O.; Mark Merlin, D.O.; Kenneth Nizza, D.O.; and, Asher Stein, D.O.

**C. Physician Assistant Application**

No PA applications were ready for review in August.

**VII. Adjournment**

**MOTION:** Made by Dr. Gillis, seconded by Dr. Pisini with the vote, via roll call to adjourn the meeting at 12:15 pm.

Respectfully submitted,

Susan E. Strout, Executive Secretary