

Minutes of June 9, 2022 Board Meeting – 8 a.m. – 4:10 p.m.

Members Present: Melissa Michaud, PA-C, Board Chair; James Pisini, DO, Vice Chair; John Brewer, DO, Board Secretary; John Gaddis, DO; Marty McIntyre, Public Member; Peter Michaud, Public Member; Christine Munroe, DO; Brian Gillis, DO; Rebecca Vose, PA-C; Lisa Ryan, D.O.

Others Present: Susan E. Strout, Executive Secretary; Lisa Wilson, Assistant Attorney General, Office of the Attorney General; Savannah Okoronkwo, Consumer Assistance Specialist; Det. Lauren Edstrom, Office of the Attorney General; 50+ non-identified observers via the Zoom platform.

I. Investigation Review

A. IN2022-11

Following the Board's review of the draft Consent Agreement to Surrender, signed by the license, the Board took this action:

MOTION: Made by Ms. Michaud and seconded by Mr. Michaud with the roll call vote being unanimous to approve the draft Agreement for Surrender, as agreed to and signed by Virgil W. McMillion, D.O. (licensed via the Interstate Medical Licensure Compact). The surrender will be effective once signed by the Chair Michaud and AAG Wilson.

II. Rulemaking Matters

A Chapter 11 – Joint Rule Regarding Telehealth Standards of Practice

Following review of the comments received based on the revised language as well as review of the draft Response to Comments, the Board took this action:

MOTION: Made by Dr. Gaddis and seconded by Dr. Munroe with the roll call vote being unanimous to adopt the rule, the basis statement, and the draft response to comments.

Dr. Brewer joined the meeting during the following discussion.

B. Chapter 12 – Joint Rule Regarding Office

Following review of the comments received based on the revised language as well as review of the draft response to comments, the Board took this action:

MOTION: Made by Mr. Michaud and seconded by Dr. Munroe with the roll call vote being unanimous to adopt the rule, the basis statement, and the draft response to comments.

Minutes/Revenue & Expense Reports

A. April & May 2022 Draft Meeting Minutes

Following review of both the April 2022 and May 2022 draft minutes, the Board took these actions:

MOTION: Made by Ms. Michaud and seconded by Dr. Pisini with the vote, via roll call, being unanimous to approve the minutes of the April 14, 2022 & May 13, 2022 meetings.

B. Review of Revenue & Expense Reports¹

The revenue and expense reports for FY22, Period 11 were not yet available.

Dr. Gillis and Ms. Vose joined the meeting at this time.

III. Permanent Licensure Applications

MOTION: Made by Ms. McIntyre and seconded by Ms. Vose with the vote, via roll call, being unanimous to approve the following applications for permanent licensure: Ruslan Abdukulikov, DO; Joshua Allen, DO; Tobin Corson, DO; Estylan Arellano, DO; Rachel Coffey, DO; Lukas Emery, DO; Andy Halberg, DO; Leandra Jelinek, DO; Raghu Kanumalla, DO; Jenna Karavan, DO; Ethan Ko, DO; Karen Kwak, DO; Bryan Maxwell, DO; Alyssa McKenna, DO; Matthew Sharp, DO; Michelle Sharp, DO; Harmandeep Singh, DO; Steven Takasaki, DO; Ian Corbett, DO; Bradley Golden, DO; Rebecca Patterson, DO and Christopher Yoo, DO.

Following the end of the hearing, the Board will briefly re-convene the business meeting to review one additional application for permanent licensure. *This portion of the business meeting ended at 8:34 a.m.* Board members were instructed to close cameras and microphones and to return at 8:55 a.m. for the continuation (Day 3) of the Adjudicatory Hearing regarding Paul Gosselin, DO, scheduled to begin at 9 a.m.

CR2021 49 – Adjudicatory Hearing - Dr. Paul Gosselin

Dr. Ryan joined the meeting at this time.

The Board held the last day of the hearing and during deliberations, voted on the following motions:

MOTION: Made by Dr. Gaddis and seconded by Ms. Vose with the vote, via roll call, being unanimous to find Count II, the allegation of incompetence for lack of knowledge or inability to apply principles or skills to carry out the practice of medicine was not proven by a preponderance of evidence.

MOTION: Made by Dr. Gaddis and seconded by Ms. McIntyre with the vote, via roll call, being unanimous to find Count I, the allegation of incompetence for lack of ability or fitness to discharge the duty owed to a patient or the public was not proved by a preponderance of evidence.

MOTION: Made by Mr. Michaud and seconded by Dr. Brewer with the vote, via roll call, being in favor of finding the licensee had committed unprofessional conduct by writing vaccine exemption letters that said he had conducted an evaluation of patients without seeing or examining the patients, obtaining their medical histories, obtaining medical records, consulting their primary care providers, or considering guidance published by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention. Dr. Gillis, Ms. McIntyre, and Ms. Vose were opposed.

MOTION: Made by Dr. Ryan and seconded by Dr. Brewer with the vote, via roll call, being in favor of finding the licensee had committed unprofessional conduct by failing to create or maintain adequate records for patients who received vaccine exemption letters. Dr. Gillis was opposed.

¹ Department of Administrative & Financial Services

Continued from Page 2 of 3 – June 9, 2022 Osteopathic Board Meeting Minutes

Dr. Ryan left the meeting at this point.

MOTION: Made by Mr. Michaud and seconded by Dr. Brewer with the vote, via roll call, being in favor of issuing a sanction of one year of probation during which the licensee would be required to take 20 hours of CME, 10 hours on recordkeeping and 10 hours on medical decision making, with those hours to count as part of the regular requirement of 100 hours biennially. Dr. Gillis, Dr. Munroe, Ms. McIntyre, and Ms. Vose were opposed.

MOTION: Made by Ms. Vose and seconded by Dr. Brewer with the vote, via roll call, being in favor of including in the probation a prohibition on issuing any further vaccine exemption letters. Dr. Gillis, Dr. Munroe, and Ms. McIntyre were opposed.

MOTION: Made by Dr. Brewer and seconded by Dr. Gaddis with the vote, via roll call, being in favor of a sanction of \$1000 of hearing costs which could be paid over the one-year probation. Dr. Gillis, Dr. Munroe, Ms. McIntyre, and Ms. Vose were opposed.

MOTION: Made by Ms. McIntyre and seconded by Dr. Gillis, with the vote, via roll call, being unanimous to end the licensee's suspension on June 15, 2022 and to issue a Decision & Order on the sanctions by that date, with the full Decision and Order to follow.

Once the hearing was officially closed, the Board re-convened to review/vote on one final application.

Continuation of Agenda Item III from Page 2 – Review of Permanent Licensure Application

Dr. Gaddis left the meeting at this point.

Following a brief discussion, the Board took this action on one final application:

MOTION: Made by Ms. McIntyre and seconded by Ms. Michaud with the vote, via roll call, being unanimous to approve the application for permanent licensure as submitted by Ula Lewandowski, DO.

IV. Meeting Adjournment

MOTION: Made by Ms. McIntyre and seconded by Ms. Michaud with the vote, via roll call, being unanimous to adjourn for the day at 4:10 p.m.

Respectfully submitted,

Susan E. Strout, Executive Secretary