

Board of Licensure in Medicine
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February 11, 2025

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Maine Board of Licensure in Medicine
Minutes of February 11, 2025
8:03 a.m. – 1:36 p.m.

Board Members Present In-Person: Secretary Christopher R. Ross, PA; Holly Fanjoy, MD; Renee M. Fay-LeBlanc, MD; David H. Flaherty, PA; Public Member Gregory Jamison, RPh; Anthony T. Ng, MD; Public Member Jonathan Sahrbeck; Brad Waddell, MD; and Public Member Lynne M. Weinstein

Board Members Present Remotely: Chair Maroulla S. Gleaton, MD and Noah Nesin, MD

Board Members Absent: None

Board Staff Present: Executive Director Timothy E. Terranova; Assistant Executive Director Valerie Hunt; Medical Director Paul N. Smith, MD; Complaint Coordinator Kelly McLaughlin; Consumer Assistance Specialist Faith McLaughlin; Investigative Secretary Danielle Magioncalda; Administrative Assistant Maureen S. Lathrop; Licensing Supervisor Tracy Morrison; Licensing Specialist Savannah Okoronkwo and Licensing Specialist Nathan Fitts

Attorney General’s Office Staff Present: Assistant Attorney General Jennifer Willis

The Board met in public session except during the times listed below which were held in executive session. Executive sessions are held to consider matters which, under statute, are confidential (*e.g.*, 1 M.R.S. § 405; 10 M.R.S. § 8003-B; 22 M.R.S. § 1711-C; 24 M.R.S. § 2510; 32 M.R.S. § 3282-A). During the public session of the meeting, actions were taken on all matters discussed during executive session. In addition, though not required by law, the meeting was made virtually available to the public not attending the meeting in person using the platform Zoom. A link for the public to access the Board meeting virtually was included on the Board’s agenda and posted on its website.

EXECUTIVE SESSIONS

PURPOSE

8:25 a.m. – 8:35 a.m.

Pursuant to 1 M.R.S. § 405(6)(F) and 10 M.R.S. § 8003-B to discuss confidential information

RECESSES

9:44 a.m. – 9:55 a.m.

Recess

12:10 p.m. – 12:28 p.m.

Lunch

I. Call to Order

Dr. Gleaton called the meeting to order at 8:03 a.m.

A. Introduction of New Staff Member

Mr. Terranova introduced Danielle Magioncalda, the Board’s new Investigative Secretary.

B. Amendments to Agenda

Mr. Ross moved to amend the Decision and Order in the matters of CR21-72 & CR24-170 off the agenda. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

C. Scheduled Agenda Items (none)

II. Licensing

A. Applications for Individual Consideration

- 1. Initial Applications (none)**
- 2. Reinstatement Applications (none)**
- 3. Renewal Applications**

a. Kristine Pleacher, MD

Dr. Fay-LeBlanc moved to grant the renewal. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

b. Edward J. Lavery, MD

Dr. Nesin moved to investigate further. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

4. Requests to Convert to Active Status

a. Humaira Ashraf, MD

Dr. Waddell moved to request that Dr. Ashraf submit a reentry to practice plan for approval by the Board. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

5. Requests to Withdraw License/License Application

a. Corbin D. Barocas, PA

Mr. Ross moved to approve Mr. Barocas’ request to withdraw his license application. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

6. Requests for Collaborative/Practice Agreements

a. Gabriel Arcadio Rocha, PA

At 8:25 a.m. Ms. Weinstein moved to enter executive session pursuant to 1 M.R.S. § 405(6)(F) and 10 M.R.S. § 8003-B to discuss confidential information. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

At 8:35 a.m. Mr. Ross moved to come out of executive session. Mr. Flaherty seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

Mr. Sahrbeck moved to investigate further. Mr. Flaherty seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

B. Other Items for Discussion (none)

C. Citations and Administrative Fines (none)

D. Licensing Status Report

This material was presented for informational purposes. No Board action was required.

E. Licensing Feedback (none)

F. Complaint Status Report

This material was presented for informational purposes. No Board action was required.

III. Board Orders/Consent Agreements/Resolution Documents for Review

A. CR21-72/CR24-170 – Decision and Order (amended off agenda)

IV. Complaints

1. CR23-158

Dr. Waddell moved to accept the physician’s permanent surrender of his Maine medical license while under investigation. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

2. CR23-248

Dr. Waddell moved to dismiss the complaint. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The patient suffered a complication after minimally invasive mitral valve repair performed by the licensee. The patient alleges the injury occurred because the licensee allowed an unqualified Advanced Practice Professional to perform critical parts of the procedure. The licensee acknowledges the iatrogenic injury that is a described complication of the index procedure and reiterates the apology that was previously offered to the patient. The licensee asserts that he did not allow an Advanced Practice Professional to perform critical steps of the procedure. Review of the information above supports the fact that all critical elements of the procedure were indeed performed by the licensee. Peer review indicates that appropriate care was provided.

3. CR24-69 Michael J. Schiesser, MD

Dr. Waddell moved to dismiss the matter with a letter of guidance. Dr. Ng. seconded the motion. A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For

Mr. Flaherty: For
Mr. Jamison: For

Ms. Weinstein: For

MOTION: The Board-issued complaint arose from a pharmacist’s concerns about telemedicine prescribing, and subpoenaed records demonstrated charting deficiencies. In his response, the physician explained his workplace circumstances which contributed to the Board’s findings and the changes in his personal prescribing habits and the improvements in his employer’s Electronic Medical Record (EMR) system which have been implemented.

The guidance is as follows: It is important to always provide thorough documentation of all clinical encounters regardless of the limitations of the EMR vehicle, the practice setting, or employer factors.

4. CR24-73

Mr. Sahrbeck moved to issue a citation and dismiss the complaint upon receipt of payment. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For

Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint was initiated after review of AD23-234, which stemmed from a license suspension of the licensee’s Minnesota medical license in 2023. Since that time, the Minnesota Board did a thorough investigation and found that the suspension was not due to any substandard care by the licensee and unanimously overturned any license suspension. The complaint also alleges that the licensee failed to report the information surrounding the suspension within the required 10 days. Based upon the information in the Minnesota investigation, dismissal of the complaint is appropriate.

5. CR24-95

Dr. Fanjoy moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For

Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The licensee was removed from a hospital’s emergency medicine roster based on an allegation that the licensee struck a patient while providing care. The patient had delirium with agitated behavior that required some restraint in the emergency department. At the Board’s request, the licensee underwent an evaluation which did not identify any significant mental health illness or substance use disorder with no recommendations for referral or further treatment. The licensee denies all claims that his treatment was inappropriate and feels his actions were necessary to maintain safety. Two witness accounts and the hospital report to the Department of Health and Human Services indicate that his treatment was inappropriate. The Board requested the licensee take a CME course and he completed a Management of Aggressive Behavior course. He appropriately reflects on how he could have communicated better with the care team to avoid confrontation and physical force and will employ his learnings moving forward.

6. CR24-126

Dr. Fay-LeBlanc moved to offer the physician a consent agreement to include probation with conditions. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Negin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

7. CR24-128

Mr. Sahrbeck moved to investigate further. Dr. Waddell seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Negin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

8. CR24-134

Dr. Gleaton moved to dismiss the complaint and send the physician a copy of the Board’s Informed Consent Guidelines. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Negin:	For
Mr. Ross:	For	Dr. Ng:	For

Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: A patient complained about the care he received from a general surgeon when he underwent an incarcerated inguinal hernia repair. Review of the records indicates informed consent and standard preoperative, intra operative and post operative care. Unfortunately, the patient experienced post operative pain and complications related to damaged nerves from the procedure. These are known complications that can occur.

9. CR24-142 Barbara Mercado-Stallard, MD

Dr. Fay-LeBlanc moved to dismiss the complaint with a letter of guidance. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The complaint arose from a patient’s concern that the physician identified abnormal findings that she wished to refer to a gynecologic oncologist, but she did not complete her documentation of the visit or make the required referral until more than two weeks later, and then only after the patient called her clinic and inquired about the referral. The physician completed her documentation of the visit and initiated the referral later on the day that the patient called.

The guidance is as follows: It is very important to complete documentation of clinical encounters in a timely fashion, in order to ensure the accuracy of patient chart entries and the accessibility of visit information to others, and to avoid delays in patient care.

10. CR24-174

Dr. Fanjoy moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The patient alleges that the licensee discriminated against him due to his history of substance use disorder and failed to treat him appropriately for a skin infection. The patient was treated with Bactrim for a cellulitis that developed about a week after sustaining a dog bite injury. The medical record and licensee response does not support any discrimination or unprofessional treatment of the patient based on his history. However, the choice of antibiotic for this type of infection should have been broadened to include anaerobic coverage and reflects an opportunity for improvement in care. The Board requested that the licensee take CME regarding soft tissue infections and appropriate management. The licensee completed the requested readings and submitted an appropriate response regarding what she learned and impact on her future practice.

11. CR24-178

Dr. Nesin moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken and the motion passed 10 in favor, 1 recused.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	Recused
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The licensee provided Emergency Department (ED) care to a patient with end stage kidney disease (on dialysis), bipolar disorder and acute mania. The stay in the ED was prolonged and during the stay a consulting physician ordered an increase in a medication from once a day to twice a day (doubling the dose). Later, another consultant recommended cutting the dose back to once a day. A different ED provider entered that order but did not discontinue the prior, twice a day order, which resulted in a tripling of the patient’s original dose. When the patient requested discharge this licensee had assumed care for the patient and verbally ordered that the prescription be sent to a pharmacy because the patient did not have the med at home. The error was discovered when a regular specialty provider saw the patient in follow up and notified the licensee. The licensee’s response shows appropriate insight into the role she played in the error. Outside expert review notes that it is primarily a systems error and that the licensee met the standard of care.

12. CR24-187 Steven G. Wilson, MD

Dr. Fay-LeBlanc moved to dismiss the complaint with a letter of guidance. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For

Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For

Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint arose from a patient’s concern that the physician was unprofessional in his communication during her visit, was inattentive to her requests, and used inappropriate humor. After considering the physician’s response, the Board asked that he voluntarily attend a course on professional communication. He did so and submitted a statement of what he learned from the course regarding his chosen focus area: giving patients bad news.

The guidance is as follows: Patient communication is an essential skill in the practice of medicine and use of inappropriate humor can be particularly damaging to patient relationships. Regularly engaging in self-evaluation of one’s communication style and practices, assisted by colleagues who regularly observe your patient interactions, affords valuable opportunities to assess whether one’s communications are being received as intended, and whether those communications meet the requirements that they are clear, compassionate, and appropriate. You are encouraged to continue to be mindful and self-reflective regarding effective and appropriate communication with patients, and to be particularly mindful of any use of anecdotes or references that may seem humorous to an individual practitioner, but which may be inappropriate or offensive to a patient or colleague. Attached you will find, “Communicating with Patients: Guidelines from the Maine Board of Licensure in Medicine.”

13. CR24-193 Basem M. Elbrolosy, MD

Dr. Nesin moved to dismiss the complaint with a letter of guidance. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For

Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

MOTION: The complaint arose from a patient’s spouse’s concern that her spouse’s clinical symptoms were incompletely evaluated, and earlier intervention could have prevented his hospitalization. The physician’s response indicated that there were no complaints or findings that would suggest infection. Board review of his records demonstrated no recorded physical exam pertinent to the patient’s complaints in visits prior to patient hospitalization. Although it is unlikely that the infectious etiology was active at the time of his visits with the patient or that the infectious etiology could have been diagnosed at those visits, records should contain appropriate focused physical examination notes.

The guidance is as follows: At every clinical encounter, it is important to perform and document physical examination appropriate to the presenting complaint.

14. CR24-198

Mr. Jamison moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: A patient complained about the care she received from her primary care physician. The patient alleges incompetent care when an antibiotic was prescribed for acute bladder infection that interacted with the other medications she was taking at the time for other conditions. She visited the emergency room twice for symptoms. Review of the records reveals appropriate, reasonable standard of care was delivered to this patient.

15. CR24-208

Dr. Ng. moved to investigate further and issue a letter of guidance. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

16. CR24-220

Dr. Ng moved to dismiss the complaint. Dr. Fanjoy seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For

Mr. Jamison: For

MOTION: The complainant alleged that the licensee allowed another physician to trap the complainant in an exam room which triggered her PTSD and caused her grave harm. The complainant stated she was denied safe healthcare because the licensee failed to consider her PTSD and failed to minimize trauma informed healthcare.

The licensee is a family medicine physician who had been seeing the complainant as a patient between 2021 and August 2024 when the licensee left the practice. The licensee saw the complainant on 3/29/2024. The licensee had asked if the patient was ok with another provider speaking with her about her distressing behavior at that visit. The complainant declined due to feeling “ambushed.” The licensee indicated that the provider proceeded to speak with the complainant despite her refusal. She said the complainant became upset and left the exam room only to return a short while later. The licensee apologized to patient and offered options for the complainant to feel safe. Since that interaction, the licensee had registered for additional CMEs on Trauma Informed care for additional competency development in this area. The review of the records and accompanying documentation shows that the licensee made an effort to provide as reassuring a visit as she can as this visit was due to previous unresolved resolution to another concern about another provider raised in prior appointments. The licensee recognizes the importance of understanding and appreciating the nature of trauma in healthcare and she went on to obtain additional CMEs on the topic.

17. CR24-211

Dr. Fanjoy moved to investigate further and request that the physician complete CME courses approved by the case reporter regarding professionalism/communication and trauma informed care within six months and report to the Board what he gained from the courses. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

18. CR24-212 Boris Kovalenko, MD

Mr. Sahrbeck moved to dismiss the complaint with a letter of guidance. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
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Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The complaint arose from a patient’s concern that the physician recommended antibiotic prophylaxis for a dental procedure, and that recommendation was inconsistent with current guidelines and the standard of care. The physician’s September 17, 2021, letter to the patient’s dentist indicated a lifetime need for antibiotic pre-medication. After receiving this complaint the physician’s September 3, 2024, letter to the patient clarified that there is no need for a pre-dental antibiotic.

The guidance is as follows: It is important to remain cognizant of current dental antibiotic prophylaxis guidelines, and to incorporate consideration of those guidelines into your clinical practice.

19. CR24-229

Dr. Fanjoy moved to investigate further and obtain an expert review. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

20. CR24-232

Mr. Ross moved to dismiss the complaint. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed 10 in favor, 1 recused.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	Recused
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: A patient housed in a state facility claims this physician is refusing to see her and not providing medication or meeting her needs. Additionally, if this physician is unavailable at a

particular time to see a patient, nurse practitioners supervised by this licensee are available. A review of the records and this complex patient reveals appropriate care has been provided.

21. CR24-249

Mr. Flaherty moved to investigate further and request that the physician respond to questions from the Board. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed 10 in favor, 1 recused.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	Recused
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

22. CR24-265

Dr. Nesin moved to dismiss the complaint. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	Recused
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The patient alleged that the licensee retaliated against her for filing previous complaints against him with the Board. She also alleged that the licensee provided inadequate treatment or denied her treatment for an infected toe by either failing to provide appropriate treatment or by providing antibiotic ointment in a separate receptacle that she could take back to her room. The patient further alleged that the licensee denied her treatment for post-concussion syndrome and migraines by failing to continue to give her over-the-counter medications. Finally, the patient alleged that the licensee provided the Board with erroneous mental health diagnoses, which the patient states are inaccurate. The licensee provided medical records for the patient’s fall 2024 visits that reflect that the patient was given antibiotic ointment, Epsom salts, Excedrin, or Naproxen, as well as other medications, as needed, and that the patient declined referral and further consultation with Podiatry for her toe. The patient’s records from August 2024 reflect a behavioral health note containing two mental health diagnoses consistent with the licensee’s statements to the Board regarding the patient’s mental health history. Because the records and licensee’s response demonstrate appropriate and responsive care before and following the patient’s prior complaints, this case recommendation is dismissed.

23. CR24-243

Ms. Weinstein moved to investigate further, issue a citation and issue a letter of guidance. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

24. CR24-259

Dr. Gleaton moved to investigate further, obtain an expert review and request that the physician respond to questions from the Board. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

25. CR24-260

Dr. Fay-LeBlanc moved to dismiss the complaint. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The patient’s mother complained that her pediatrician was dismissive of urinary tract issues and tachycardia in her daughter and pulmonary symptoms in her two younger children. She said most children were being hospitalized for pulmonary issues, her children were given antibiotics for “walking pneumonia”. She also complained about surveillance and treatment of her oldest child’s behavioral issues.

Medical records were reviewed for each of the three children. Medical care provided seemed timely and appropriate. The medical record documents significant difficulty in managing the oldest child’s behavioral issues.

26. CR24-264

Mr. Ross moved to dismiss the complaint. Mr. Flaherty seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: A patient complains that the physician assistant or staff canceled appointment hours before it was scheduled and said that they would not be seeing her. The physician assistant responded that he decided that the patient was too complex to be seen as a telehealth visit and does recognize that he should have come to this decision earlier with better screening and communicated with the patient better and are working on ways to do that in the future. Review of the records revealed that the patient received reasonable care.

27. CR24-270

Mr. Jamison moved to dismiss the complaint. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The patient alleged that when visiting the emergency department for lower back pain the licensee PA ordered a CT scan unnecessarily, did not adequately explain the risks, and joked about the fact the CT scan was unnecessary because the issue was musculoskeletal. The licensee responded that he did not interact with the patient which is supported by the medical records which show the treating provider as a physician with a different name. The treating physician’s notes in the patient’s chart indicate that while he considered the cause likely musculoskeletal, the presence of hematuria led him to seek a CT as part of the differential diagnosis. Because the licensee was not involved in the care of this patient, the complaint recommendation is dismissed.

28. CR24-273

Dr. Fay-LeBlanc moved to dismiss the complaint. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Negin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

MOTION: The patient complains that they were unable to get a medication refill when their provider was on vacation. The licensee is in a leadership position at the hospital where the patient’s PCP is employed. The licensee has never treated the patient and was involved as part of the patient complaint process. The licensee did hear the patient’s concerns, contacted the patient’s PCP office to get more information about the situation, and then circled back with the patient.

29. CR24-74

Mr. Ross moved to offer the physician assistant an amended consent agreement to include a citation and probation with conditions. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Negin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

30. Intentionally left blank

V. Assessment and Direction

31. Intentionally left blank

32. Intentionally left blank

33. Pending Adjudicatory Hearings and Informal Conferences report

This material was presented for informational purposes. No Board action was required.

34. Consumer Assistance Specialist Feedback

This material was presented for informational purposes. No Board action was required.

VI. Informal Conference (none)

VII. Minutes for Approval

A. January 14, 2025

Mr. Ross moved to approve the minutes of the January 14th meeting. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed 10 in favor, 1 abstained.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	Abstained
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

VIII. Consent Agreement Monitoring

A. Monitoring Reports

1. Scott F. Rusk, MD

Dr. Fay-LeBlanc moved to terminate Dr. Rusk’s consent agreement. Dr. Fanjoy seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

2. G. Paul Savidge, MD

Dr. Fay-LeBlanc moved to offer Dr. Savidge a consent agreement amendment to include probation with conditions. Mr. Sahrbeck seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

3. David B. Nagler, MD

Dr. Nesin moved to terminate Dr. Nagler’s consent agreement. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

IX. Adjudicatory Hearing (none)

X. Remarks of Chair

Dr. Gleaton commented that the FSMB will be studying AI platforms.

A. BOLIM-BOL Workgroup

Dr. Gleaton gave a summary of the workgroup meeting. The next workgroup meeting will be February 26th and the FSMB will give a presentation.

XI. Executive Director’s Monthly Report

Mr. Terranova noted that the IV Hydration Therapy workgroup will meet on February 19th to review a draft rule.

A. Attestation Pursuant to 45 C.F.R § 164.502

To comply with requirements of the recently enacted HIPAA Reproductive Health Care Privacy Rules 45 C.F.R. §§ 164.502(a)(5)(iii) and 164.509, Mr. Sahrbeck moved to delegate authority to sign the required attestation to the Executive Director and, in their absence, the Assistant Executive Director. Dr. Fay-LeBlanc seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

B. The Advisory Commission on Additional Licensing Models

This material was presented for informational purposes. No Board action was required.

C. FSMB Reentry to Practice Guidelines

This material was presented for informational purposes. No Board action was required.

D. FSMB Professionalism in the Context of Assessment and Licensure

This material was presented for informational purposes. No Board action was required.

E. MMACQI Update

This material was presented for informational purposes. No Board action was required.

F. Request for Travel Approval

Mr. Terranova requested approval for Complaint Coordinator Kelly McLaughlin to travel to Virginia to attend the Tri-Regulator Symposium in March.

Mr. Ross moved to approve the request. Ms. Weinstein seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton:	For	Dr. Nesin:	For
Mr. Ross:	For	Dr. Ng:	For
Dr. Fanjoy:	For	Mr. Sahrbeck:	For
Dr. Fay-LeBlanc:	For	Dr. Waddell:	For
Mr. Flaherty:	For	Ms. Weinstein:	For
Mr. Jamison:	For		

G. Legislative Report

Mr. Terranova briefed the Board regarding several bills.

XII. Assistant Executive Director’s Monthly Report

The Board reviewed Ms. Hunt’s written report.

A. Annual Licensing Report

Ms. Hunt highlighted several licensing statistics for the Board.

B. Complaint and Investigation Annual Report

Ms. McLaughlin reviewed complaint statistics with the Board.

XIII. Medical Director's Report (none)

XIV. Remarks of Assistant Attorney General (none)

XV. Rulemaking

A. Chapter 1 Revisions

The Board reviewed proposed amendments to the rule and directed staff to make changes as discussed.

B. Discussion of Possible Rulemaking Regarding Hearings

The Board directed staff to draft a rule regarding the conduct of adjudicatory hearings.

XVI. Policy Review (none)

XVII. FSMB Material (none)

XVIII. FYI

This material was presented for informational purposes. No Board action was required.

XIX. Other Business

A. NPDB Dispute Request

The Board received notification that a physician intends to dispute the Board's report to the National Practitioner Data Bank (NPDB) regarding disciplinary action. The Board reviewed the physician's request to change language in the report, the NPDB report, and the consent agreement and related complaint material.

Following review, Mr. Ross moved that the Board's report to the NPDB was factually accurate, and no basis exists to change the language in the report. Dr. Ng seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For

Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

XX. Adjournment 1:36 pm

At 1:36 pm Mr. Sahrbeck moved to adjourn the meeting. Mr. Ross seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

Dr. Gleaton: For
Mr. Ross: For
Dr. Fanjoy: For
Dr. Fay-LeBlanc: For
Mr. Flaherty: For
Mr. Jamison: For

Dr. Nesin: For
Dr. Ng: For
Mr. Sahrbeck: For
Dr. Waddell: For
Ms. Weinstein: For

Respectfully submitted,



Maureen S. Lathrop
Administrative Assistant



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
BOARD OF LICENSURE IN MEDICINE



Janet T. Mills
Governor

Maroulla S. Gleaton, MD
Chair

Timothy Terranova
Executive Director

Joan F. Cohen
Commissioner

In accordance with the “Board Member Remote Participation Policy” adopted by the Board on November 14, 2023, I have approved a Board member to participate remotely for the February 11, 2025, meeting of the Board pursuant to Section 2(F) of that policy.

Members of the public may attend this meeting in-person at the Board’s Offices at 161 Capitol St, Augusta, Maine. The Board will also continue to provide members of the public with a meaningful opportunity to attend the meeting remotely via Zoom. Please post this approval to the Board website and update the agenda to include the Zoom information as soon as possible.

Maroulla S. Gleaton, MD
Chair, Board of Licensure in Medicine

Office Location: 161 Capitol Street Augusta, ME 04330
Mailing Address: 137 State House Station, Augusta, Maine 04333
www.maine.gov/md

Phone: (207) 287-3601

TTY: Please Call Maine Relay 711

Consumer Assistance: (888) 365-9964

Fax: (207) 287-6590