

Vermont Secretary of State
Office of Professional Regulation

BOARD OF OSTEOPATHIC PHYSICIANS & SURGEONS
UNAPPROVED MINUTES
September 14, 2006

1. The meeting was called to order at 10:10 a.m.

Board members present: Howard S. Jonas, D.O., Chair man; William Cove, D.O., Vice-Chair;
John Welch, Esq.; and Mary C. Mazzariello. Absent: Paul Donovan, D.O.

OPR Staff Present: Larry S. Novins, Board Counsel, Robert H. Backus, State Prosecuting
Attorney, and Carla Preston, Unit Administrator.

2. The Chair called for approval of the Minutes of the June 22nd meeting. On page one, the last sentence in the last paragraph was amended to read: Physical therapists are not trained to diagnose and make judgments with regard to high velocity treatment. Dr. Cove made a motion, seconded by Mr. Welch, to approve the Minutes of the June 22, 2006 meeting as corrected. Motion passed unanimously.

3. **Hearings/Stipulations Review:**

At 10:30 a.m. the Board considered a Stipulation and Consent Order in the matter of Evan Musman, D.O., Docket Numbers OS09-0605 and OS02-1099. The Respondent was not present. Attorney Larry Novins presided for the Board. Attorney Robert Backus was present for the State. Attorney Backus reported that the Respondent has had a conditioned license since 2000. During that time, there has been no indication of drug abuse. He explained that approval of the Orders would issue a Warning, remove the conditions imposed on the Respondent's license pursuant to Docket Number OS02-1099, and would impose a significant administrative penalty. Mr. Welch made a motion, seconded by Dr. Cove, to accept the Stipulation and Consent Order regarding Docket Number OS09-0605 as presented. Motion passed. Mr. Welch made a motion, seconded by Ms. Mazzariello, to accept the Order regarding Docket Number OS02-1099, to remove the Conditions imposed on the Respondent's license. The question was called and the motion passed. Dr. Jonas, Investigating Member, did not participate in the votes.

4. **Reports:**

5. **Legislation/Rulemaking:**

Attorney Novins reported that the Office of Professional Regulation has not received any proposed legislation concerning changes in the scope of practice for physical therapists. He said the Office is not endorsing any changes to their scope of practice at this time. He added that the Office would have difficulty in supporting changes in the scope without agreement among the professions involved. He said if any group introduces language regarding the scope of practice for physical therapists, it would require amending Title 26, thus the Office would be aware of it.

6. **Complaints (closing reports):** None.

7. Applications/Discussion:

The Board voted to formally approve the following applicants for licensure as Osteopathic Physicians.

David Henner, D.O. (032-0538)
Katrina Harris, D.O. (032-540)

Stanley Zimmerman, D.O. (032-0539)

The Board reviewed **Dr. Robert Blaik's** application, but was unable to approve it. Additional information is needed to complete his application. Applicants with incomplete applications are not eligible for Temporary or Limited licensure. Dr. Blaik will be notified.

8. Newsletter topics:

The Board sent out a Newsletter with the Renewal Notices, which included, Chairman's report, summary of why a fee increase was needed, new provisions in the statutes, etc.

9. Correspondence:

- a. The Board reviewed and noted the July 7, 2006 letter from the American College of Phlebology regarding the addition of their specialty code PHL.
- b. The Board reviewed and noted various FYI correspondences. The information prompted discussion regarding topics covered including sexual boundaries and trends in physician regulations. No action required.

10. Federation of State Medical Boards (FSMB) Correspondence

- a. The Board reviewed and noted the April/May and June /July 2006 editions of "NewsLine."
- b. The Board reviewed and noted the June 21, 2006 letter from Dr. Kim Le Blanc announcing himself as the Board's new liaison to the FSMB.

11. Other Business Introduced by the Board:

12. Public Comment:

13. Election of Officers:

The Board held an election of Officers, which resulted in the same slate.

Howard Jonas, Chairman
Bill Cove, Vice Chairman
Mary Mazzariello, Secretary

14. The next regular meeting of the Board is scheduled for March 22, 2007.

15. The meeting was adjourned at 12:00 p.m.

Respectfully Submitted,

Carla Preston
Unit Administrator
Office of Professional Regulation