

# Vermont Board of Medical Practice

May 1, 2024

1311 US Route 302, Boardroom 200, Barre, VT 05641

Remote Via Microsoft Teams

Dial: (802) 828-7667 Conference ID: 887 198 695 #

10:30 AM Licensing Committee

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12:00 PM Vermont Board of Medical Practice

- Call to Order; Roll Call; Acknowledge Guests:
- Public Comment:
- Approval of Minutes of the April 3, 2024, Board Meeting
- Board Issues (Dr. Hildebrant):
- Administrative Update (David Herlihy):
- Other Business:
  - FSMB Annual Meeting Report
  - Legislative Update
  - **CRNA Opt-Out** – In Vermont, Certified Registered Nurse Anesthetists work under the supervision of a physician. In 2001, CMS regulations were amended to allow states to “opt-out” of the regulation that requires CRNAs to work under physician supervision. The regulation specifies a process for a state to opt-out; that process requires the Governor to consult with the state’s medical and nursing boards before submitting a request to opt-out. The Board was asked to provide guidance on this issue in 2013. At that time the Board took the position that Vermont should not opt-out. The Board will **not** be asked to take a position on this at the May meeting. This is being covered as an introduction to the issue in anticipation that it may be on the agenda for the June meeting.
  - **APRN Subcommittee** – Vermont law provides for an APRN subcommittee that advises the Board of Nursing on APRN practice

matters. The law provides for one member of the subcommittee to be a physician designated by the Board of Medical Practice. 26 V.S.A. § 1615a. That role is not currently filled; this will be to discuss the designation of a physician for the subcommittee.

- **Joint Statement on IV Therapy Clinics** – The Board approved a statement at the March 6, 2024, meeting on the subject of IV therapy clinics. The Board of Nursing (BoN) did not approve the statement that had been worked on by staff from OPR and BMP staff. They generally agreed with the statement but asked for revisions to one paragraph. The Board of Nursing has not formally approved that version, but it is anticipated that they will at their May 13, 2024 meeting. Three attachments are provided: a revised version with the BoN changes; a document showing only the sentences from page 3 of the statement that are proposed for revision; and the version approved by BMP on March 6. The Board will be asked to consider approving the revised version of the joint statement.
- **Convene hearing to discuss any stipulations or disciplinary matters that are before the Board (12:45 PM – 1:15 PM)**
  - In re: Steven Powell, MD – Cessation of Practice Agreement – MPN 184-0823
- **Executive Session to discuss:**
  - Investigative cases recommended for closure
  - Other matters that are confidential by law; if any
- **Return to Open Session; Board Actions on matters discussed in Executive Session:**
- **Board Actions on Committee recommendations regarding any non-confidential matters:**
- **Upcoming Board meetings, Committee meetings, hearings, etc.:** [Locations are subject to change. A notification will be provided if a change takes place.](#)

- **May 9, 2024, North Investigative Committee Meeting, 9:00 AM.**  
Remote via Teams and 280 State Drive, Waterbury, VT 05671.
  - **May 10, 2024, Central Investigative Committee Meeting, 9:00 AM.**  
Remote via Teams and 1311 US Route 302, Board Room, Berlin, VT 05641.
  - **May 15, 2024, South Investigative Committee Meeting, 12:15 PM.**  
Remote via Teams and 280 State Drive, Waterbury, VT 05671.
  - **June 5, 2024, Licensing Committee Meeting, 10:30 AM.** Remote via Teams and 280 State Drive, Waterbury, VT 05671.
  - **June 5, 2024, Board Meeting, 12:00 PM.** Remote via Teams and 280 State Drive, Waterbury, VT 05671.
  - **Open Forum:**
  - **Adjourn:**
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**Non-Board Members / General Public**

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If you join the meeting during the time the Board is in Executive Session, the line will be open and monitored by staff. You are welcome to remain on the line until the Board returns to the Open Session.

If you would like to participate in a meeting and need accessible accommodations and/or would like to be provided online access by coming to the Waterbury State Office Complex, please contact the Board using the email address or telephone number below at least 24 hours before the start of the meeting.

If you have any questions about this meeting, contact **phone:** (802) 657-4220 or **email:** AHS.VDHMedicalBoard@vermont.gov