

**STATE OF VERMONT
BOARD OF MEDICAL PRACTICE**

In re: John M. Severinghaus, M.D.) Docket No. MPN 135-0916
)

**TEMPORARY VOLUNTARY LIMITATION
OF PRACTICE AGREEMENT**

NOW COME John M. Severinghaus, M.D., and the State of Vermont, by and through Vermont Attorney General Thomas J. Donovan, Jr., and the undersigned Assistant Attorney General, Lindsay N. Browning, and agree and stipulate as follows:

1. John M. Severinghaus, M.D., (“Respondent”) of Burlington, Vermont holds Vermont medical license number 042.0008270 first issued by the Vermont Board of Medical Practice on December 5, 1990. Respondent is a physician.
2. Jurisdiction in this matter rests with the Vermont Board of Medical Practice (“the Board”), pursuant to 26 V.S.A. §§ 1353-1361, 3 V.S.A. §§ 809-814, and other authority.
3. As a result of the Board’s ongoing investigation into Docket No. MPN 135-0916, the parties have agreed that Respondent will voluntarily and temporarily cease and desist from the prescribing of Schedule II controlled substances as of a date certain as described below.
4. The Parties agree that Respondent may prescribe other controlled substances outside the prohibited Schedule II category, including buprenorphine (a Schedule III substance). However, Respondent shall not prescribe any controlled substances whatsoever to any patient who is also prescribed buprenorphine. In the event Respondent prescribes any allowed controlled substances, Respondent agrees to

comply with all relevant rules and statutes, including but not limited to the Vermont Department of Health Rules Governing Medication-Assisted Therapy for Opioid Dependence for The Vermont Department of Health Rules Governing Medication-Assisted Therapy for Opioid Dependence for: 1. Office-Based Opioid Treatment (OBPT) Providers Prescribing Buprenorphine 2. Opioid Treatment Providers (OTP) – State Regulations, effective dates April 1, 2016 through July 15, 2017 and the Vermont Prescription Monitoring System Rule, effective date July 1, 2017, as well as referring to the guidelines in Vermont Board of Medical Practice Policy on DATA 2000 and Treatment of Opioid Addiction in the Medical Office, adopted June 4, 2014;

5. Respondent agrees that he shall voluntarily enter into this Temporary Voluntary Limitation of Practice Agreement (“Agreement”) with the Board and shall voluntarily cease writing prescriptions for Schedule II controlled substances after March 31, 2019, and shall not write prescriptions for Schedule II controlled substances that can be filled after April 30, 2019. Respondent shall also make diligent efforts to support patients in finding sources for care that he will be unable to provide pursuant to this agreement and Respondent will document such efforts.
6. By entering into this Agreement, Respondent does not admit to any facts, nor does he admit violating any Rules of the Vermont Board of Medical Practice, Vermont statutes, federal statutes, any policies, and/or guidelines and retains the right to contest any allegations in the event the Board takes further action related to this matter.

7. The parties acknowledge that this Agreement is not a final resolution of the case, but that it will be enforced until the Board takes further action related to this matter. Respondent acknowledges that no promises have been made to him regarding the final disposition of this matter or other action of the Board.
8. Respondent agrees that the instant Agreement with the Board sets forth in writing the terms for such voluntary temporary limitation of practice.
9. Respondent agrees, pending further proceedings, action or order of the Board, to cooperate fully and in good faith with all further investigation of this matter by the North Investigative Committee ("the Committee").
10. Respondent acknowledges that he has been offered the opportunity to obtain and receive legal advice and counsel regarding this matter. Thus, Respondent voluntarily and knowingly agrees to the terms and conditions therein.
11. Respondent agrees that the Board, in its sole discretion, may consider and approve a petition from Respondent at a later date for modification or relief from the terms and conditions of this Agreement. Respondent understands that if he desires to seek modification or relief, he must first present a written petition to the Committee requesting such modification or relief. Respondent agrees and understands that the Committee will make a recommendation to the Board as to whether Respondent's petition for modification or relief should be granted. Respondent understands and agrees that, in order for a petition for relief or modification to be granted, the Board must approve his request for relief or modification and issue an Order to that effect.
12. Respondent agrees that he has read and carefully considered all terms and conditions herein and agrees that these may be adopted as an enforceable order of

the Board, pursuant to 3 V.S.A. §§ 129(a)(3), 809(d) and 26 V.S.A. §1353, and agrees to accept and be bound by these until such time as he may be expressly relieved of these or they are modified, in writing, by an order of the Board.

13. The parties acknowledge that this Agreement shall be a public document, shall be made part of Respondent's licensing file, and may be reported to other licensing authorities, including but not limited to: the Federation of State Medical Boards Board Action Databank and the National Practitioner Data Bank. Respondent's license status will be changed to "Conditioned" upon approval of this Agreement by the Board.
14. This Agreement is subject to review and acceptance by the Board, and shall not become fully and finally effective until presented to and approved by the Board. If the Board rejects any part of this Agreement, the entire Agreement shall be void. The parties agree and request that the Board enter a binding order adopting the terms and conditions set forth herein.
15. Respondent agrees that the Board shall retain jurisdiction in this matter and may enforce as necessary the terms set forth herein, pursuant to 26 V.S.A. §1354(25) or other statutory provisions.

SIGNATURES

DATED at Montpelier Vermont, this _____ day of _____, 2019.

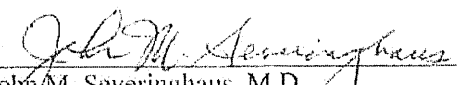
STATE OF VERMONT

THOMAS J. DONOVAN
ATTORNEY GENERAL

By:

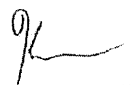
Lindsay N. Browning
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609

DATED at Norwich, Vermont, this 5 day of March, 2019.



John M. Severinghaus, M.D.
Respondent

DATED at Burlington, Vermont, this 6th day of March, 2019.

 for

Ian Carleton
Counsel for Respondent

SIGNATURES

DATED at Montpelier Vermont, this 19th day of March, 2019.

STATE OF VERMONT

THOMAS J. DONOVAN
ATTORNEY GENERAL

By: Lindsay N. Browning
Lindsay N. Browning
Assistant Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609

DATED at _____, Vermont, this ___ day of _____, 2019.

John M. Severinghaus, M.D.
Respondent

DATED at _____, Vermont, this ___ day of _____, 2019.

Ian Carleton
Counsel for Respondent

AS TO JOHN M. SEVERINGHAUS, M.D.

APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE

W. H. Katz _____

D. DeSilva _____

Kim Poy _____
Chad _____

Brent Burger _____
[Signature] no _____

[Signature] _____

DATED: March 6, 2019

ENTERED AND EFFECTIVE: March 6, 2019