

**STATE OF VERMONT
BOARD OF MEDICAL PRACTICE**

In re: Renee M. Johannensen, M.D.)
)
) Docket No. MPS 031-0323

STIPULATION AND CONSENT ORDER

NOW COME the State of Vermont, by and through Vermont Attorney General Charity R. Clark, and Renee M. Johannensen, M.D., and stipulate and agree as follows:

1. Renee M. Johannensen, M.D. (“Respondent”) holds Vermont medical license number 042.0011195 first issued by the Vermont Board of Medical Practice on July 19, 2006. Respondent is a physician.

2. Jurisdiction in this matter vests with the Board pursuant to 26 V.S.A. §§ 1353-1354, 1370-74, and 3 V.S.A. §§ 809-814, and other authority.

Findings of Fact

3. Respondent is a physician who maintains an obstetrics and gynecology practice in West Windsor, Vermont.

4. The Board opened this matter in March 2023 after it received information that respondent may have prescribed medication based upon a patient’s responses to an online questionnaire without establishing a proper physician-patient relationship. The Board assigned the investigation of the matter to the South Investigative Committee (“Committee”).

5. The patient contacted Respondent and completed an online questionnaire that Respondent used to evaluate the patient and prescribe medication.

6. During the Board’s investigation, Respondent admitted that she did not conduct an in-person or synchronous, audiovisual evaluation of the patient before prescribing medication to the patient.

7. Respondent was unaware that Vermont law provides that an online questionnaire is inadequate for the initial evaluation of a patient when a physician prescribes medication in response to an electronic communication from a patient.

8. Respondent cooperated with the Committee's investigation and provided relevant documents and information to the Committee.

Conclusions of Law

9. It is unprofessional conduct for a Vermont-licensed physician to provide, prescribe, dispense, or furnish prescription-only medication to a patient if the physician conducted the initial evaluation of the patient by "an electronic, on-line, or telephonic evaluation by questionnaire[.]" 26 V.S.A. § 1354(a)(33)(B).

10. Consistent with Respondent's cooperation with the Board, she acknowledges that if the State were to file charges it could satisfy its burden at a hearing and a finding adverse to her could be entered by the Board pursuant to 26 V.S.A. §§ 1354(a)(33)(B).

11. Respondent agrees that the Board may adopt as its facts and conclusions in this matter Paragraphs 1 through 17, and further agrees that this is an adequate basis for the Board actions set forth herein. Any representation by Respondent herein is made solely for the purposes set forth in this agreement.

12. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Board, she has determined that she shall enter into this agreement with the Board. Respondent enters no further admissions here, but to resolve this matter without further time, expense, and uncertainty she has concluded that this agreement is acceptable and in the best interest of the parties.

13. Respondent agrees and understands that by executing this document she is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Board in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, and to offer evidence of her own to contest any allegations by the State.

14. The parties agree that upon the Board's acceptance of this Stipulation and Consent Order, and pursuant to the terms herein, the above-captioned matter shall be resolved by the Board. Thereafter, the Board will take no further action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.

15. This Stipulation and Consent Order is conditioned upon its acceptance by the Board. If the Board rejects any part of this document, the entire agreement shall be considered void. Respondent agrees that if the Board does not accept this agreement in its current form, she shall not assert in any subsequent proceeding any claim of prejudice from any such prior consideration. If the Board rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, it shall be kept in strict confidence, and it shall be without prejudice to any future disciplinary proceeding and the Board's final determination of any charge against Respondent.

16. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in her permanent Board file, shall constitute an enforceable legal agreement, and may and shall 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. In exchange for the actions by the Board, as

set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.

17. The parties therefore jointly agree that should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Board, it may enter an order implementing the terms and conditions herein.


ORDER

WHEREFORE, based on the foregoing and the consent of Respondent, it is hereby ORDERED that:

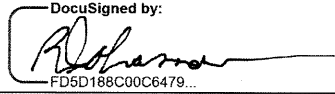
1. Respondent shall be REPRIMANDED for the conduct set forth above.
2. Respondent shall pay an ADMINISTRATIVE PENALTY of \$1,000.00 pursuant to 26 V.S.A. § 1374(b)(1)(A)(iii). Payment shall be made to the "State of Vermont Board of Medical Practice" and shall be sent to the Vermont Board of Medical Practice at the following address: David Herlihy, Executive Director, Vermont Board of Medical Practice, P.O. Box 70, Burlington, VT 05402-0070. The payment shall be due no later than six (6) months after this Stipulation and Consent Order is approved by the Board.

SIGNATURES

Dated at _____, Vermont, this ___ day of 8/20/2024, 2024.

Signed by:

AD7E7D8D44974C7
 Suzanne Jones, PA-C
 Chair, South Investigative Committee
 Vermont Board of Medical Practice

Dated at West Windsor, Vermont, this 15th day of August, 2024.

DocuSigned by:

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Renee M. Johannensen, M.D.

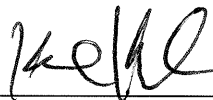
APPROVED AS TO LEGAL FORM:

Dated at Burlington, Vermont this 15th day of August, 2024.



Ed Adrian, Esq.
Monaghan Safer Ducham PLLC
156 Battery Street
Burlington, VT 05401
(802) 660-4735
Counsel for Respondent

Dated at Montpelier, Vermont this 16th day of August, 2024.



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**AS TO RENEE M. JOHANNENSEN, M.D.
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE**

Signed on Behalf of the Vermont Board of Medical Practice

By: 

Rick Hildebrant, M.D.
Chair, Vermont Board of Medical Practice

Vote documented in the Vermont Board of Medical Practice meeting minutes,
dated ____09/04/2024_____.

Dated: ____09/06/2024_____