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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF MEDICINE

TIME: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Tuesday, April 18, 2023

State Board of Medicine
April 18, 2023

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BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
Mark B. Woodland, M.S., M.D., FACOG, Chair
Donald M. Yealy, M.D., Vice Chair
Gerard F. Dillon, Ph.D., Public Member
Michael Ripchinski, M.D., MBA, CPE, FAAFP
Walter A. Eisenhauer, MMSC, M.Ed., PA-C
Sirisha Reddy, Special Assistant, on behalf Debra L. Bogen, M.D., FAAP, FABM, Acting Secretary of Health

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Senior Board Counsel
Shana M. Walter, Esquire, Board Counsel
Dana M. Wucinski, Esquire, Board Counsel
Heather J. McCarthy, Esquire, Senior Board Prosecutor/Prosecution Liaison
Mark R. Zogby, Esquire, Board Prosecutor
Adam J. Williams, Esquire, Board Prosecutor
Kelsey B. Ashworth, Esquire, Board Prosecutor
Nathan C. Giunta, Esquire, Board Prosecutor
Jonelle Harter Eshbach, Esquire, Board Prosecutor
Keith E. Bashore, Esquire, Board Prosecutor
Nichole Wray, Acting Board Administrator
Holly Hoffman, Law Clerk, Department of State
Danie Bendesky, Director of Intergovernmental Affairs, Department of State
Mark Farrell, Esquire, Regulatory Counsel
Saiyad Ali, Education Certification Evaluator, Department of State

State Board of Medicine
April 18, 2023

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ALSO PRESENT:

- Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants
- Lexi Deisenroth, Executive Assistant/Communications Coordinator, Office of Income Maintenance (OIM)- Department of Human Services
- Ali Fogarty, Communications Director, Pennsylvania Department of Human Services, Office of Press & Communications
- Jennifer Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure
- James J. Kutz, Esquire, Post & Schell, P.C.
- Charles (Chachi) Angelo, Director of External Affairs, Pennie
- Wesley J. Rish, Esquire, Rish Law Office, LLC
- Angie Armbrust, Senior Associate, McNeas-Winter Group LLC, representing the Pennsylvania Speech-Language-Hearing Association
- Ted Mowatt, CAE, Vice President/Lobbyist, Wanner Associates
- Nicole Sidle, Executive Director, Professional Licensure Committee, PA House of Representatives
- Rebecca Belles, LGC, Genetic Counselor, Geisinger
- Sean Campbell, Associate, Post & Schell, P.C.
- Tej Ganti, M.D., Tower Health
- Randy Stevens, Owner, Pedorthist and Orthotic Fitter, Randy Stevens Family Footcare
- Joanne M. Magro, M.D.
- Lauren Doliner, M.D.
- Linda K. Moore
- Nicole Montagano
- Robert Ross, Pennsylvania Society of Physician Assistants

1 State Board of Medicine

2 April 18, 2023

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act,
5 at 8:45 a.m. the Board entered into Executive Session
6 with Dana M. Wucinski, Esquire, Board Counsel, and
7 Shana M. Walter, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations on
9 a number of matters currently pending before the
10 Board and to receive the advice of counsel. The
11 Board returned to open session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Medicine was held on Tuesday, April 18,
15 2023. Mark B. Woodland, M.S., M.D., FACOG, Chair,
16 called the meeting to order at 10:30 a.m.

17 Chair Woodland welcomed everyone to the State
18 Board of Medicine Meeting. He reminded everyone that
19 the meeting was being recorded, and voluntary
20 participation constituted consent to be recorded. He
21 requested everyone mute electronic devices to help
22 with feedback.

23 Chair Woodland recognized April as National
24 Minority Health Month, Alcohol Awareness Month, and
25 National Public Health Week. He thanked everyone for

1 their support with all of those issues from the State
2 Board of Medicine.

3 ***

4 Approval of minutes of the March 7, 2023 meeting

5 CHAIR WOODLAND:

6 I would take a motion to approve the
7 minutes from the last meeting.

8 DR. YEALY:

9 So moved.

10 MR. EISENHAUER:

11 Second.

12 CHAIR WOODLAND:

13 Nichole, could you do a roll call?

14

15 Mr. Claggett, aye; Dr. Woodland, aye;

16 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

17 Ripchinski, aye; Mr. Eisenhauer, aye;

18 Ms. Reddy, abstain.

19 [The motion carried. Sirisha Reddy abstained from
20 voting on the motion.]

21 ***

22 Introduction of Board Members/Attendees

23 [Chair Woodland and Nichole Wray provided an
24 introduction of Board members and attendees.]

25 ***

1 Report of Prosecuting Attorneys
2 [Heather J. McCarthy, Esquire, Senior Board
3 Prosecutor/Prosecution Liaison, presented the VRP
4 Consent Agreements for Case No. 23-49-002297 and Case
5 No. 23-49-002925.]

6 MS. WALTER:

7 Pursuant to Section 708(a)(5) of the
8 Sunshine Act, the Board entered into
9 Executive Session at 8:45 a.m. to have
10 quasi-judicial deliberations and
11 received advice of counsel regarding
12 items on the agenda.

13 Number 4 on the agenda is VRP Case
14 No. 23-49-002297, and number 5 is VRP
15 Case No. 23-49-002925.

16 I believe the Board would entertain
17 a motion to approve the VRP Agreements.

18 DR. YEALY:

19 So moved.

20 MR. EISENHAUER:

21 Second.

22 CHAIR WOODLAND:

23 Any further discussion on these two?
24 Hearing none. Nichole, could we have a
25 roll call, please?

1

2

Mr. Claggett, aye; Dr. Woodland, aye;

3

Dr. Yealy, aye; Mr. Dillon, aye; Dr.

4

Ripchinski, aye; Mr. Eisenhauer, aye;

5

Ms. Reddy, abstain.

6

[The motion carried. Sirisha Reddy abstained from

7

voting on the motion.]

8

9

[Keith E. Bashore, Esquire, Board Prosecutor,

10

presented the Consent Agreements for Case No. 21-49-

11

011504, Case No. 19-49-014709, and Case No. 21-49-

12

017014.]

13

MS. WALTER:

14

I believe the Board would entertain a

15

motion to approve the Consent

16

Agreements at the following agenda

17

items: Number 6, Case No. 21-49-

18

011504; number 7, Case No. 19-49-

19

014708; number 8, Case No. 21-49-

20

017014.

21

DR. YEALY:

22

So moved.

23

MR. EISENHAUER:

24

Second.

25

CHAIR WOODLAND:

1 Any further discussion on these three
2 items? Hearing none. Nichole, could
3 we have a roll call, please?

4
5 Mr. Claggett, aye; Dr. Woodland, aye;
6 Dr. Yealy, aye; Mr. Dillon, aye; Dr.
7 Ripchinski, aye; Mr. Eisenhauer, aye;
8 Ms. Reddy, abstain.

9 [The motion carried. Sirisha Reddy abstained from
10 voting on the motion. The Respondent's name at
11 number 6 is Kelsey Anne Martin, LAT; number 7, Shawn
12 Paul Robinson, M.D.; and number 8, Michael G.
13 McMannis, M.D.]

14 ***
15 [Jonelle Harter Eshbach, Esquire, Board Prosecutor,
16 presented the Consent Agreement for Case No. 20-49-
17 000524.]

18 MS. WALTER:

19 I believe the Board would entertain a
20 motion to accept the Consent Agreement
21 at agenda number 9 at Case No. 20-49-
22 000524.

23 DR. YEALY:

24 So moved.

25 MR. EISENHAUER:

1 Second.

2 CHAIR WOODLAND:

3 Any further discussion? Hearing none.
4 Nichole, could we have a roll call,
5 please?

6
7 Mr. Claggett, aye; Dr. Woodland, aye;
8 Dr. Yealy, aye; Mr. Dillon, aye; Dr.
9 Ripchinski, aye; Mr. Eisenhauer, aye;
10 Ms. Reddy, abstain.

11 [The motion carried. Sirisha Reddy abstained from
12 voting on the motion. The Respondent's name at
13 number 9 on the agenda is James Beck, M.D.]

14 ***

15 [Adam J. Williams, Esquire, Board Prosecutor,
16 presented the Consent Agreement for Case No. 19-49-
17 016002.]

18 MS. WALTER:

19 I believe the Board would entertain a
20 motion at agenda number 10, Case No.
21 19-49-016002, to accept the Consent
22 Agreement.

23 DR. YEALY:

24 So moved.

25 MR. EISENHAUER:

1 Second.

2 CHAIR WOODLAND:

3 Any further discussion on this item?

4 Hearing none. Nichole, could we have a
5 roll call, please?

6

7 Mr. Claggett, aye; Dr. Woodland, aye;

8 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

9 Ripchinski, aye; Mr. Eisenhauer, aye;

10 Ms. Reddy, abstain.

11 [The motion carried. Sirisha Reddy abstained from
12 voting on the motion. The Respondent's name at
13 number 10 is Lisa Halpern, M.D.]

14

15 Report of Board Counsel - Proposed Reports from
16 Hearing Examiner

17 MS. WUCINSKI:

18 I believe the Board would entertain a
19 motion to direct Board Counsel to draft
20 an Adjudication and Order consistent
21 with discussions in Executive Session
22 for K. Keith Jeffords, M.D. at Case No.
23 22-49-000196.

24 DR. YEALY:

25 So moved.

1 MR. EISENHAUER:

2 Second.

3 CHAIR WOODLAND:

4 Any further discussion? Hearing none.

5 Nichole, could we have a roll call,
6 please?

7

8 Mr. Claggett, aye; Dr. Woodland, aye;

9 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

10 Ripchinski, aye; Mr. Eisenhauer, aye;

11 Ms. Reddy, abstain.

12 [The motion carried. Sirisha Reddy abstained from
13 voting on the motion.]

14 ***

15 Report of Board Counsel - Final Adjudications for
16 Board Approval

17 MS. WUCINSKI:

18 At agenda items 12 and 13, I believe
19 the Board would entertain a motion to
20 adopt as final the Draft Adjudication
21 and Orders for the following: Joanne
22 M. Magro, M.D. at Case No. 22-49-004446
23 and Jay Jacobs, M.D. at Case No. 22-49-
24 001448.

25 DR. YEALY:

1 So moved.

2 MR. EISENHAUER:

3 Second.

4 CHAIR WOODLAND:

5 Any further discussion? Hearing none.

6 Nichole, could we have a roll call,
7 please?

8

9 Mr. Claggett, aye; Dr. Woodland, aye;

10 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

11 Ripchinski, aye; Mr. Eisenhauer, aye;

12 Ms. Reddy, abstain.

13 [The motion carried. Sirisha Reddy abstained from
14 voting on the motion.]

15 ***

16 Applications for Licensure - Allied Health

17 Professionals

18 MS. WUCINSKI:

19 At agenda item 19, I believe the Board

20 would entertain a motion to

21 provisionally deny the Initial

22 Application for a License to Practice

23 as a Physician Assistant of Robert

24 Dill.

25 DR. YEALY:

1 So moved.

2 MR. EISENHAUER:

3 Second.

4 CHAIR WOODLAND:

5 Any further discussion? Hearing none.

6 Nichole, could we have a roll call,
7 please?

8

9 Mr. Claggett, aye; Dr. Woodland, aye;

10 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

11 Ripchinski, aye; Mr. Eisenhauer, aye;

12 Ms. Reddy, abstain.

13 [The motion carried. Sirisha Reddy abstained from
14 voting on the motion.]

15 ***

16 MS. WUCINSKI:

17 At items 20 and 21, I believe the Board
18 would entertain a motion to approve the
19 following: the Initial Application for
20 a License to Practice as a Respiratory
21 Therapist of Cheri Simoni and the
22 Initial Application for a License to
23 Practice as an Athletic Trainer of
24 Makenna Behrens.

25 DR. YEALY:

1 So moved.

2 MR. EISENHAUER:

3 Second.

4 CHAIR WOODLAND:

5 Any further discussion? Hearing none.

6 Nichole, could we have a roll call,
7 please?

8

9 Mr. Claggett, aye; Dr. Woodland, aye;

10 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

11 Ripchinski, aye; Mr. Eisenhauer, aye;

12 Ms. Reddy, abstain.

13 [The motion carried. Sirisha Reddy abstained from
14 voting on the motion.]

15 ***

16 MS. WUCINSKI:

17 At agenda item 22, I believe the Board
18 would entertain a motion to deny the
19 request of Pamela Craddock to
20 reconsider the Board's provisional
21 denial for an Application for Nurse-
22 Midwife Prescriptive Authority.

23 DR. YEALY:

24 So moved.

25 MR. EISENHAUER:

1 Second.

2 CHAIR WOODLAND:

3 Any further discussion? Hearing none.

4 Could we have a roll call, please?

5

6 Mr. Claggett, nay; Dr. Woodland, aye;

7 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

8 Ripchinski, aye; Mr. Eisenhauer, aye;

9 Ms. Reddy, abstain.

10 [The motion carried. Sirisha Reddy abstained from
11 voting on the motion. Arion Claggett opposed the
12 motion.]

13

14 Applications for Licensure - Unrestricted Physician
15 and Surgeon

16 MS. WUCINSKI:

17 I believe the Board would entertain a
18 motion to send a standard reentry

19 letter to the following applicants:

20 Agenda item 23, Lauren Doliner, M.D.;

21 agenda item 27, Charles Bemis, M.D.;

22 Agenda item 36, Kathleen Velosa, M.D.

23 DR. YEALY:

24 So moved.

25 MR. EISENHAUER:

1 Second.

2 CHAIR WOODLAND:

3 Any further discussion on these three?

4 Hearing none. Could we have a roll
5 call, Nichole, please?

6

7 Mr. Claggett, aye; Dr. Woodland, aye;

8 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

9 Ripchinski, aye; Mr. Eisenhauer, aye;

10 Ms. Reddy, abstain.

11 [The motion carried. Sirisha Reddy abstained from
12 voting on the motion.]

13

14 Applications for Licensure - Reactivations

15 MS. WUCINSKI:

16 I believe the Board would entertain a
17 motion to grant the following

18 Reactivation Applications to Practice

19 as a Respiratory Therapist: Agenda

20 item 24, Amy Bergeski; agenda item 26,

21 Donielle Markey.

22 DR. YEALY:

23 So moved.

24 MR. EISENHAUER:

25 Second.

1 CHAIR WOODLAND:

2 Any further discussion on these two
3 items? Hearing none. Nichole, could
4 we have a roll call, please?

5
6 Mr. Claggett, aye; Dr. Woodland, aye;
7 Dr. Yealy, aye; Mr. Dillon, aye; Dr.
8 Ripchinski, aye; Mr. Eisenhauer, aye;
9 Ms. Reddy, abstain.

10 [The motion carried. Sirisha Reddy abstained from
11 voting on the motion.]

12 ***

13 MS. WUCINSKI:

14 Agenda item 25 is tabled so that the
15 Board office can request additional
16 information from the applicant.

17 ***

18 MS. WUCINSKI:

19 I believe the Board would entertain a
20 motion to grant the following
21 Reactivation Applications: Agenda item
22 28, Dino Boni, M.D.; agenda item 29,
23 John Dobrota, M.D.; agenda item 33,
24 Pratima Srivastava, M.D.; agenda item
25 34, John Stack, M.D.; agenda item 35,

1 Ronald Stunz, M.D.

2 DR. YEALY:

3 So moved.

4 MR. EISENHAUER:

5 Second.

6 CHAIR WOODLAND:

7 Any further discussion on these?

8 Hearing none. Nichole, could we have a
9 roll call, please?

10

11 Mr. Claggett, aye; Dr. Woodland, aye;

12 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

13 Ripchinski, aye; Mr. Eisenhauer, aye;

14 Ms. Reddy, abstain.

15 [The motion carried. Sirisha Reddy abstained from
16 voting on the motion.]

17

18 MS. WUCINSKI:

19 At agenda item 30, I believe the Board
20 would entertain a motion to deny the
21 request of Mable Jones, M.D. to waive
22 the required continuing medical
23 education necessary to reactive her
24 license to practice as a Physician and
25 Surgeon.

1 DR. YEALY:

2 So moved.

3 MR. EISENHAUER:

4 Second.

5 CHAIR WOODLAND:

6 Any further discussion? Hearing none.

7 May we have a roll call, please,
8 Nichole?

9

10 Mr. Claggett, aye; Dr. Woodland, aye;
11 Dr. Yealy, aye; Mr. Dillon, aye; Dr.
12 Ripchinski, aye; Mr. Eisenhauer, aye;
13 Ms. Reddy, abstain.

14 [The motion carried. Sirisha Reddy abstained from
15 voting on the motion.]

16

17 MS. - WUCINSKI:

18 At agenda item 31, I believe the Board
19 would entertain a motion to grant the
20 Reactivation Application to practice as
21 a Physician and Surgeon of Karenga
22 Lemmons, M.D.

23 DR. YEALY:

24 So moved.

25 MR. EISENHAUER:

1 Second.

2 CHAIR WOODLAND:

3 Any further discussion? Hearing none.

4 Could we have a roll call, please,
5 Nichole?

6

7 Mr. Claggett, aye; Dr. Woodland, aye;

8 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

9 Ripchinski, aye; Mr. Eisenhauer, aye;

10 Ms. Reddy, abstain.

11 [The motion carried. Sirisha Reddy abstained from
12 voting on the motion.]

13

14 MS. - WUCINSKI:

15 At agenda item 32, the Application to
16 Practice as a Physician and Surgeon of
17 Mohammad Saleem, M.D. has already been
18 granted and issued.

19

20 Miscellaneous

21 MS. WUCINSKI:

22 At agenda item 40, I believe the Board
23 would entertain a motion to deny the
24 request to grant an Exemption to the
25 USMLE Step 1 Examination Attempt Limit

1 of Ana Bhattacharyya, M.D.

2 DR. YEALY:

3 So moved.

4 MR. EISENHAUER:

5 Second.

6 CHAIR WOODLAND:

7 Any further discussion on this item?

8 Hearing none. Could we have a roll
9 call, please, Nichole?

10

11 Mr. Claggett, aye; Dr. Woodland, aye;

12 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

13 Ripchinski, aye; Mr. Eisenhauer, aye;

14 Ms. Reddy, abstain.

15 [The motion carried. Sirisha Reddy abstained from
16 voting on the motion.]

17

18 MS. WUCINSKI:

19 At agenda item 41, I believe the Board
20 would entertain a motion to grant the
21 Joint Motion to Dismiss for Mehyar
22 Hefazi Torghabeh, M.D. at Case No. 22-
23 49-002489.

24 DR. YEALY:

25 So moved.

1 MR. EISENHAUER:

2 Second.

3 CHAIR WOODLAND:

4 Any further discussion? Hearing none.

5 Nichole, could we have a roll call,
6 please?

7

8 Mr. Claggett, aye; Dr. Woodland, aye;

9 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

10 Ripchinski, aye; Mr. Eisenhauer, aye;

11 Ms. Reddy, abstain.

12 [The motion carried. Sirisha Reddy abstained from
13 voting on the motion.]

14 ***

15 Appointment - Department of Human Services and

16 Pennsylvania Health Insurance Exchange

17 Authority - Pennie Insurance Presentation

18 [Lexi Deisenroth, Executive Assistant/Communications

19 Coordinator, Office of Income Maintenance (OIM)-

20 Department of Human Services, presented to the Board

21 to provided information regarding the unwind of

22 continuous coverage for Medicaid and communications

23 associated with the renewal process over the next 12

24 months. She stated that a Federal Public Health

25 Emergency was declared in 2020 as a result of the

1 coronavirus pandemic, and Congress passed a law for
2 states to receive additional Medicaid funding
3 regardless of status of eligibility known as the
4 continuous coverage requirement.

5 Ms. Deisenroth explained that the Department of
6 Human Services (DHS) continued to communicate and
7 send annual renewal paperwork to individuals in March
8 2020, but individuals were not disenrolled if they
9 did not meet eligibility criteria or respond to
10 renewals. She reported 3.6 million Pennsylvanians
11 were enrolled in Medicaid as of March 2023 and
12 approximately 632,000 are ineligible based on their
13 most recent renewal.

14 Ms. Deisenroth noted Congress passed the
15 Consolidated Appropriations Act of 2023, which
16 separated the end of the continuous coverage
17 requirement from the end of the public health
18 emergency on March 31, 2023, and DHS returned to the
19 pre-pandemic renewal process.

20 Ms. Deisenroth stated that all individuals who
21 have maintained their eligibility would have the
22 opportunity to renew benefits and would be reviewed
23 over a 12-month period until March 31, 2024, and not
24 lose coverage. She addressed the renewal process,
25 including texts, email, and helper call.

1 Ms. Deisenroth noted that DHS communicates with
2 individuals about 90 days before their renewal is due
3 requesting updated contact information, sends out a
4 letter 60 days ahead of renewal prompting individuals
5 to start the renewal process early, sends a packet 30
6 days before renewal and a text message reminding them
7 the renewal is coming, and another text message 5
8 five days before the renewal is due. She stated that
9 the lists of communications could be found at
10 dhs.pa.gov/staycovered.

11 Ms. Deisenroth addressed the renewal
12 communications process following the renewal process,
13 where the household gets an eligibility notice
14 whether they are still eligible for coverage at their
15 current coverage level, as well as appeal and
16 reconsideration processes.

17 Ms. Deisenroth stated that information would be
18 securely and automatically transferred to Pennie for
19 anyone found ineligible. She noted that anyone who
20 does not complete the renewal would receive a mailing
21 informing them that they have the ability to return
22 the renewal late to avoid loss of coverage. She
23 mentioned that the information would also be given to
24 Pennie.

25 Charles (Chachi) Angelo, Director of External

1 Affairs, Pennie, stated that Pennie was established
2 from Act 42 of 2019 to move Pennsylvania away from
3 HealthCare.gov as the federal marketplace and set up
4 a state-based marketplace called the Pennsylvania
5 Health Insurance Exchange Authority. He addressed
6 the importance of increasing the awareness of
7 Medicaid unwinding and introducing Pennie. He noted
8 Pennie at pennie.com is where individuals go to
9 purchase Affordable Care Act coverage that includes
10 financial assistance, advanced premium tax credits,
11 and cost-sharing reductions to reduce the cost of
12 health coverage.

13 Mr. Angelo noted the importance of making people
14 aware of Pennie and enhanced subsidies provided from
15 the American Rescue Plan and Inflation Reduction Act.
16 He mentioned that individuals who reply to their
17 renewal packet but are ineligible would automatically
18 be transferred over to Pennie and those who do not
19 reply would also be sent to Pennie. He noted that
20 individuals who reply to the renewal have a head
21 start in the enrollment process, where an account
22 would automatically be created, but individuals who
23 do not respond must create a Pennie account on their
24 own.

25 Mr. Angelo mentioned that they want to make all

1 of their materials cobranded to show that DHS,
2 Children's Health Insurance Program (CHIP), and
3 Pennie are working together to help Pennsylvanians.

4 Chair Woodland requested information regarding
5 the languages available to individuals.

6 Ms. Deisenroth explained that all of the DHS
7 languages for mailers are in English, Spanish, and
8 the next top five or six languages, along with
9 tagline language on envelopes to indicate where an
10 individual could go to make sure translations would
11 go through. She noted that all texts and emails are
12 in English and Spanish and helper calls are done in
13 English, Spanish, and the next top six languages.

14 Mr. Angelo stated that the application for Pennie
15 is available in Spanish. He also stated that the
16 cobranded letter would be English, and Spanish and
17 notices and communications indicate that help can be
18 received in their preferred language.

19 Mr. Angelo addressed policy changes that now
20 includes a 120-day special enrollment period for loss
21 of Medicaid, Medical Assistance, or CHIP but
22 encouraged individuals to enroll with 60 days to
23 avoid a gap in coverage. He noted working with DHS
24 to create a no wrong door policy to help individuals
25 to the appropriate program. He stated that Pennie

1 has help available in person, by phone, and
2 virtually. He encouraged anyone who may come across
3 somebody who lost MA coverage to send them to Pennie.

4 Ali Fogarty, Communications Director,
5 Pennsylvania Department of Human Services, Office of
6 Press & Communications, addressed the long-term
7 advertising campaign with Pennie and DHS through
8 commercials, radio, outdoor advertising through
9 billboards, transit systems, and social media in
10 several languages. She also mentioned they would be
11 engaging in a grassroots outreach effort to build a
12 broader coalition of people to share resources and
13 utilizing dhs.pa.gov/staycovered for the media
14 campaign.

15 Ms. Fogarty noted the helper portal could be
16 accessed through dhs.pa.gov/staycovered and explained
17 it to be a Listserv ran through DHS in partnership
18 with Pennie and encouraged everyone to sign up as a
19 helper.

20 Ms. Deisenroth noted the importance of keeping
21 Pennsylvanians covered over the next year, whether it
22 is through Medicaid, Pennie, or CHIP, and appreciated
23 any awareness or efforts made to get the word out.

24 Chair Woodland thanked Ms. Fogarty, Ms.
25 Deisenroth, and Mr. Angelo for their presentation and

1 expressed his appreciation for their effort in
2 minimizing obstacles for anyone in need.]

3

4 Report of Board Counsel - Regulatory Status Report
5 [Shana M. Walter, Esquire, Board Counsel, addressed
6 16A-4953 regarding naturopathic doctors. She
7 mentioned that advanced notice of final rulemaking
8 (ANFR) was prepared based on comments from the public
9 and the Independent Regulatory Review Commission
10 (IRRC). She noted changes were made to the annex
11 related to definitions because there were no
12 definitions for several key terms identified by IRRC
13 in the initial final annex.

14 Ms. Walter provided definitions in the ANFR and
15 revised annex that include "naturopathic medicine"
16 relating to use of naturopathic physical medicine,
17 natural therapies, and/or counseling; "naturopathic
18 physical medicine" relating to use of physical agents
19 and modalities; "naturopathic service" relating to
20 providing or performing naturopathic physical
21 medicine, natural therapies, and/or counseling; and
22 "natural therapies" relating to treatment utilizing
23 plant, mineral, or fungal-derived active ingredients

24 Ms. Walter noted the Board replaced the term
25 "commercial activity" and "purveyor of merchandise"

1 with the term "marketing activity" relating to a
2 communication about a service or merchandise.

3 Ms. Walter noted there were other changes
4 identified by IRRC as vague or ambiguous.]

5 MS. WALTER:

6 At this time, I would ask the Board for
7 a vote to publish the final ANFR and
8 receive public comments.

9 DR. YEALY:

10 So moved.

11 MR. EISENHAUER:

12 Second.

13 CHAIR WOODLAND:

14 Any further discussion on this?

15 [The Board discussed the motion.]

16 CHAIR WOODLAND:

17 Any other further discussion? Nichole,
18 hearing nothing, could we have a roll
19 call, please?

20

21 Mr. Claggett, aye; Dr. Woodland, aye;

22 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

23 Ripchinski, aye; Mr. Eisenhauer, aye;

24 Ms. Reddy, abstain.

25 [The motion carried. Sirisha Reddy abstained from

1 voting on the motion.]

2

3 Report of Board Counsel - Regulatory Status Report
4 [Dana M. Wucinski, Esquire, Board Counsel, referred
5 to 16A-4955 regarding physician assistants, noting
6 the Board received positive comments and some minor
7 edits to the annex and provided those for the Board's
8 review. She informed Board members that she made
9 some minor edits to the annex and drafted the
10 preamble for approval.]

11 MS. WUCINSKI:

12 I believe the Board would entertain a
13 motion to approve the draft proposed
14 preamble and annex for Regulation 16A-
15 4955, Physician Assistant, and to
16 direct Board Counsel to publish the
17 regulation as proposed.

18 DR. YEALY:

19 So moved.

20 MR. EISENHAUER:

21 Second.

22 CHAIR WOODLAND:

23 Any further discussion on this?

24 Hearing none. Would you take a roll
25 call, Nichole? Thank you.

1

2

Mr. Claggett, aye; Dr. Woodland, aye;

3

Dr. Yealy, aye; Mr. Dillon, aye; Dr.

4

Ripchinski, aye; Mr. Eisenhauer, aye;

5

Ms. Reddy, abstain.

6

[The motion carried. Sirisha Reddy abstained from

7

voting on the motion.]

8

9

Report of Board Counsel - Other

10

[Dana M. Wucinski, Esquire, Board Counsel, referred

11

to Act 147 of 2022 regarding the Expedited Partner

12

Therapy Act, which allows a health care practitioner

13

to issue a prescription or furnish antibiotics to the

14

partner of a patient with a sexually transmitted

15

disease (STD). She mentioned there is also no

16

penalty for not furnishing drugs to partners of

17

patients as well.

18

Chair Woodland noted that one of his residents in

19

attendance commented that he utilized the law today

20

for one of their patients.

21

Chair Woodland commented that Act 147 of 2022 is

22

a move forward for Pennsylvania because they were one

23

of the few states that did not have Expedited Partner

24

Therapy (EPT) legislation that protected providers

25

and helped patients and partners.

1 Ms. Wucinski addressed House Bill 758 of 2023,
2 which would require the Pennsylvania Human Relations
3 Commission to develop training to include the
4 understanding of social bias, including practical
5 techniques to mitigate social bias and improve
6 cultural competence for commonwealth employees,
7 school employees, trade school employees, and
8 licensees would have to complete the training every 2
9 years. She mentioned the bill was referred to the
10 House Human Services Committee on March 30, 2023.

11 Chair Woodland noted House Bill 758 would
12 increase mandatory education but is a step forward
13 for the state and would be helpful if it is enacted.

14 Dr. Ripchinski agreed that it would increase
15 mandatory training requirements and asked whether
16 there was any proof the training provides long-term
17 behavioral change. He commented that maybe it could
18 be a one-time requirement versus ongoing mandatory
19 education.

20 Dr. Yealy agreed with Dr. Ripchinski concerning
21 the reeducation intervals. He commented that no one
22 is disputing the importance of the topic but
23 mandatory education adds up.

24 Dr. Ripchinski commented that tracking individual
25 required components over time adds to complexity

1 because they do not take them all at the same time.

2 Chair Woodland noted the child abuse reporting
3 and the opioid use disorder mandatory education,
4 noting the importance of raising awareness but not
5 making mandatory education onerous on the licensees.

6

7 Ms. Wucinski mentioned that if the bill starts
8 gaining traction and counsel is asked to provide a
9 bill analysis that she and Ms. Walter would reach out
10 to Board members for input.

11 Chair Woodland suggested the Board look a little
12 deeper and gather thoughts in case they are asked for
13 input.

14 Ms. Walter referred to information from the Drug
15 Enforcement Administration (DEA) related to
16 medication-assisted treatment (MAT) and the end of
17 the X-Waiver for MAT. She noted that any DEA
18 registrant is required to complete 8 hours of
19 training that could be found on the DEA website.

20 Dr. Ripchinski requested clarification because he
21 believed that anyone who already possesses an X-
22 Waiver did not need to pursue any additional
23 training.

24 Ms. Walter referred Dr. Ripchinski to the DEA
25 website for information regarding specific exemptions

1 and how to meet the requirements.]

2

3 For the Board's Information - Meeting Dates

4 [Mark B. Woodland, M.S., M.D., FACOG, Chair, noted

5 2023 and 2024 Board meeting dates.]

6

7 For the Board's Information - Old/New Business

8 [Shana M. Walter, Esquire, Board Counsel, noted the

9 Federation of State Medical Boards (FSMB) conducted a
10 webinar a few months ago related to practitioner

11 mental health and the stigma often attached to a

12 health care practitioner when they undergo mental

13 health treatment. She noted the Dr. Lorna Breen

14 Heroes' Foundation is a well-being, first-recognition

15 title to state medical boards. She mentioned that

16 the State Board of Medicine and State Board of

17 Osteopathic Medicine's initial and renewal

18 applications do not have a specific question related

19 to mental health.]

20 MS. WALTER:

21

Is there a motion to direct Board

22

Counsel to send the medical licensure

23

and renewal applications to the Lorna

24

Breen Foundation for purposes of

25

obtaining all in well-being first

1 recognition?

2 DR. YEALY:

3 So moved.

4 MR. EISENHAUER:

5 Second.

6 CHAIR WOODLAND:

7 Any further discussion about this?

8 Nichole, can we have a vote, please?

9

10 Mr. Claggett, aye; Dr. Woodland, aye;

11 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

12 Ripchinski, aye; Mr. Eisenhauer, aye.

13 [The motion carried unanimously. Sirisha Reddy was
14 not present.]

15

16 For the Board's Information - Old/New Business

17 [Shana M. Walter, Esquire, Board Counsel, addressed

18 the letter from the United States Senate to the

19 Department of Justice concerning the Americans with

20 Disabilities Act (ADA) compliance questions and

21 health questions on applications for medical

22 licensure that call out some states for having

23 questions on applications that may contradict the

24 requirements of the Americans with Disabilities Act

25 or are otherwise invasive.

1 Ms. Walter noted that their Board does not have
2 those questions, but the information is necessary for
3 the Board to make a determination whether or not a
4 practitioner is safe to practice. She mentioned that
5 she and Mr. Dillon would be looking into additional
6 requirements from suggestions of the Lorna Breen
7 Heroes' Foundation for having application questions
8 that not only support practitioners who may need
9 assistance for mental health but also protect the
10 confidentiality and encourage practitioners to seek
11 help when needed. She informed Board members that
12 further information would be provided at an upcoming
13 meeting.

14 Chair Woodland noted Senator Fetterman is raising
15 awareness of mental health issues at all levels of
16 professional life and how to overcome issues. He
17 stated that it would benefit the Board to keep
18 raising those issues and awareness to maybe mitigate
19 some of those issues given the rate of physician
20 provider suicide in the country.]

21 ***

22 Report of Vice Chair - No Report

23 ***

24 Report of Acting Commissioner - No Report

25 ***

1 Report of Department of Health
2 [Sirisha Reddy, Special Assistant, Department of
3 Health, on behalf of Debra L. Bogen, M.D., FAAP,
4 FABM, Acting Secretary of Health, informed Board
5 members that the State Health Improvement Plan from
6 2023 to 2028 was released two weeks ago. She
7 explained that the plan was developed in
8 collaboration with Healthy Pennsylvania Partnership
9 with support from Harrisburg University. She stated
10 the department's vision is to create a healthy
11 Pennsylvania for all and provide a roadmap to improve
12 health outcomes and eliminate health disparities by
13 focusing on health equity, chronic disease
14 prevention, and whole person care.

15 Ms. Reddy announced that the national emergency
16 related to the COVID-19 pandemic was terminated on
17 Monday, April 10, 2023. She provided a quote from
18 the Centers for Medicare and Medicaid Services, where
19 an end to the COVID-19 national emergency does not
20 impact the planned May 11 expiration of the Federal
21 Public Health Emergency for COVID-19 or any
22 associated unwinding plans.

23 Ms. Reddy mentioned that the Department of Health
24 continues to assess the impact of the public health
25 emergency (PHE) ending on COVID vaccination and

1 testing and would provide updates. She noted there
2 would still be free and accessible COVID-19 over the
3 counter tests and vaccines available at state health
4 centers for the foreseeable future despite changes at
5 the federal level.

6 Chair Woodland noted the importance of receiving
7 regular updates and guidance from the state to make
8 sure everybody is in line and compliant and thanked
9 Ms. Reddy for the presentation.]

10 ***

11 Report of Committee on Health-Related Professionals -
12 No Report

13 ***

14 Report of Committee on Legislation/Policy Development
15 and Review - No Report

16 [Michael Ripchinski, M.D., MBA, CPE, FAAFP, provided
17 an update from the March edition of the Journal of
18 Medical Regulation. He addressed an article
19 regarding increasing access to a diverse mental
20 health workforce through emergency reciprocity
21 licensure in New Jersey concerning how New Jersey
22 granted temporary licenses to around 31,000 out-of-
23 state healthcare practitioners, where a quarter of
24 them were mental health providers.

25 Dr. Ripchinski stated that the article, mostly

1 from the Rutgers' faculty, discussed how the
2 initiative was successful in diversifying telemental
3 health by improving the availability and access of
4 that workforce to the patients in New Jersey matched
5 to their preferred language.

6 Chair Woodland commented that there are many
7 scholarly articles being published about the outcomes
8 of mental health televideo access in areas across the
9 country that can save lives.]

10 ***

11 Report of Committee on Licensure Qualifications - No
12 Report

13 [Nichole Wray, Acting Board Administrator, reminded
14 Board members that the filing of the Financial
15 Disclosure Statement for the State Ethics Commission
16 and Code of Conduct for the Office of Administration
17 are due May 1. She noted it is being advised that
18 Board members file online through Employee Self-
19 Service and should have received an email with the
20 link.]

21 ***

22 Report of Board Chair

23 [Mark B. Woodland, M.S., M.D., FACOG, Chair, again
24 recognized April as National Minority Health Month,
25 Alcohol Awareness Month, and National Public Health

1 Week.

2 Chair Woodland announced Pennsylvania was
3 successful with the match and noted some interesting
4 changes regarding different specialties. He
5 mentioned one of the changes was in emergency
6 medicine, where emergency medicine as a specialty did
7 not do as well as in the past.

8 Donald M. Yealy, M.D., Vice Chair, stated that 4
9 years ago with roughly 2,700 training positions,
10 something like a dozen, would have been unfilled
11 after the first day for the emergency medicine match.

12 He mentioned it to be a signal last year when that
13 went to roughly 140 or 150 and then this year to 550.

14 He noted it went from a very popular destination for
15 medical students to unpopular.

16 Dr. Yealy mentioned that there had been some
17 workforce predictions given the demand for emergency
18 services and other health care partners. He stated
19 that the Commonwealth of Pennsylvania generates a lot
20 of medical student graduates and emergency medicine
21 residency graduates but still has a distribution
22 issue. He noted the importance of finding the
23 reasons to be able to serve the communities with
24 fully trained emergency physicians.

25 Chair Woodland commented that Reading Hospital

1 has one of the largest emergency departments in the
2 country and filled half of their positions in the
3 first round but was an unusual situation because they
4 typically fill all of them.

5 Chair Woodland addressed analysis post-Dobbs
6 decision about where trainees applied and how they
7 applied and whether the Dobbs decision affected any
8 of that situation. He noted being down 5 percent
9 across the country and 10 percent among American
10 graduates in applicants for obstetrics and gynecology
11 (OB/GYN).

12 Chair Woodland mentioned the importance of the
13 match for not only graduate medical education
14 trainees and licensure but because it is their future
15 workforce. He mentioned that around 60-70 percent of
16 trainees stay in the state where they train.

17 Chair Woodland addressed the National Board of
18 Osteopathic Medical Examiners Annual Report, noting
19 an increase in growth in the osteopathic world in
20 education and an expanded to help meet the needs of
21 the workforce issues.

22 Chair Woodland referred to more information from
23 the FSMB medical regulatory trends and actions posted
24 on their website, especially where the Pennsylvania
25 State Board of Medicine compares to other state

1 medical boards.

2 Chair Woodland noted the FSMB Interstate Medical
3 Licensure Compact was adopted by Pennsylvania in
4 session 2015 but has not been enacted because of some
5 federal regulation issues. He mentioned that FSMB is
6 supporting House Bill 1310, which is a bipartisan
7 bill that would help eliminate some of those to be
8 able to move forward as a state.

9 Chair Woodland reemphasized that the Board would
10 be presenting a poster at the FSMB Annual Meeting on
11 remote and hybrid access to state medical boards and
12 how it affected them positively. He noted Mr. Dillon
13 would be the Board's representative at the House of
14 Delegates Meeting.

15 Gerard F. Dillon, Ph.D., Public Member, mentioned
16 that the annual meeting of the Federation of State
17 Medical Boards is made up of about 70 members from
18 medical boards from across the country, where members
19 come together for educational programs and to meet
20 with colleagues from other boards, especially with
21 ones who have the same kind of role. He noted the
22 House of Delegates Meeting provides an opportunity to
23 vote on a whole series of issues.

24 Mr. Dillon addressed one of the documents for
25 approval regarding considerations for identifying

1 standards of care. He explained that the House of
2 Delegates is provided with and asked to approve FSMB
3 polices but that the policies are not binding and
4 states are not required to follow all of FSMB
5 recommendations. He further explained that one of
6 the proposed policies, which was described to our
7 Board previously by Dr. Ripchinski, is related to how
8 best to determine applicable standards of care, how
9 to assess medical expert qualifications, and how to
10 assess expert testimony.

11 In addition, Mr. Dillon noted the federation has
12 been struggling with defining their own strategic
13 plan and their vision, mission, values, and goals and
14 how to keep them relevant to the current world. He
15 noted that this would also be one of the topics at
16 the meeting.

17 Chair Woodland commented that the Board of
18 Directors of FSMB have been in several retreats,
19 where they defined a strategic plan that revolves
20 around getting the FSMB to be recognized more
21 frequently by physicians in undergraduate medical
22 education, graduate medical education, continuing
23 medical education, and licensure.

24 Chair Woodland explained that FSMB sits on every
25 board, whether it is the Liaison Committee on Medical

1 Education (LCME), the Accreditation Council for
2 Graduate Medical Education (ACGME), or the National
3 Board of Osteopathic Medical Examiners (NBOME),
4 noting the importance of making that more apparent to
5 people and raise awareness amongst individual
6 practitioners.

7 Mr. Dillon mentioned that a *House of Delegates*
8 *Agenda* book and a document discussing individuals who
9 run for office within the Federation of State Medical
10 Boards is on the federation's annual meeting website
11 for 2023. He noted that the Pa Board of Medicine has
12 a strong connection with the Board of Directors
13 through Chair Woodland's membership on that group. He
14 suggested that if anyone wanted to provide thoughts
15 or recommendations about the upcoming meeting, they
16 could do so to him or Dr. Woodland.

17 Mr. Dillon mentioned that Chair Woodland could
18 perhaps provide some guidance before the voting
19 occurs for new members of the FSMB Board of Directors
20 in terms of what perspectives might best support the
21 federation's activities.

22 Chair Woodland thanked Mr. Dillon for his
23 representation at the FSMB Meeting.]

24 ***

25 Public Comment

1 [Susan DeSantis, PA-C, Pennsylvania Society of
2 Physician Assistants, requested information regarding
3 the next step in the language for the regulation
4 concerning physician assistants.

5 Ms. Wucinski provided an overview of the
6 regulatory process. She explained that after she
7 finishes drafting the Regulatory Analysis Form (RAF)
8 that it would go internally through their -Department
9 to the Office of General Counsel, Office of Budget,
10 and Office of Policy and then be published as
11 proposed.

12 Ms. Wucinski stated that after receiving feedback
13 and comments on the proposed rulemaking, it would go
14 back on the Board's agenda to determine whether any
15 changes should be made to the final rulemaking based
16 on the comments received. After that, she would then
17 draft final rulemaking. She noted the regulation
18 would then go through the internal Department review
19 process and the IRRC process]

20 ***

21 Next Board Meeting

22 [Mark B. Woodland, M.S., M.D., FACOG, Chair, noted
23 the next Board meeting is scheduled for May 23.]

24 ***

25 Adjournment

1 CHAIR WOODLAND:

2 Could I have a motion to adjourn?

3 DR. YEALY:

4 So moved.

5 MR. EISENHAUER:

6 Second.

7 CHAIR WOODLAND:

8 Thank you everybody.

9 ***

10 [There being no other business, the State Board of
11 Medicine Meeting adjourned at 12:15 p.m.]

12 ***

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Medicine meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Medicine meeting.



Nicole Montagano,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MEDICINE
REFERENCE INDEX

April 18, 2023

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	8:45	Executive Session
9	10:30	Return to Open Session
10		
11	10:30	Official Call to Order
12		
13	10:31	Approval of Minutes
14		
15	10:31	Introduction of Board Members/Attendees
16		
17	10:34	Report of Prosecuting Attorneys
18		
19	10:48	Report of Board Counsel
20		
21	10:50	Applications for Licensure
22		
23	10:58	Miscellaneous
24		
25	11:00	Appointment - Department of Human
26		Services and Pennsylvania Health
27		Insurance Exchange Authority - Pennie
28		Insurance Presentation
29		
30	11:35	Report of Board Counsel (cont.)
31		
32	11:49	For the Board's Information/Discussion
33		
34	11:55	Report of Department of Health
35		
36	11:58	Committee on Legislation/Policy
37		Development and Review
38		
39	12:00	Report of Board Administrator
40		
41	12:01	Report of Board Chair
42		
43	12:12	Public Session
44		
45	12:15	Adjournment
46		
47		
48		
49		
50		