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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  
VIA VIDEOCONFERENCE**

TIME: 10:50 A.M.

Tuesday, May 25, 2021

State Board of Medicine  
May 25, 2021

BOARD MEMBERS:

Mark B. Woodland, M.S., M.D., Chair  
Theodore Stauffer, Executive Secretary, Bureau of  
Professional and Occupational Affairs, on behalf of  
K. Kalonji Johnson, Commissioner - Absent  
Ronald E. Domen, M.D., Vice Chair  
Gerard F. Dillon, Ph.D., Public Member  
Walter A. Eisenhauer, PA-C  
Nazanin E. Silver, M.D.  
Paul J. Valigorsky II, M.D.- Absent  
Donald M. Yealy, M.D.  
Denise A. Johnson, M.D., Acting Physician General

BUREAU PERSONNEL:

Dana M. Wucinski, Esquire, Board Counsel  
Shana M. Walter, Esquire, Board Counsel  
Dean F. Picarella, Esquire, Senior Board Counsel  
Cynthia K. Montgomery, Esquire, Deputy Chief  
Counsel/Regulatory Counsel, Department of State  
Jason T. Anderson, Esquire, Board Prosecution Liaison  
Nathan C. Giunta, Esquire, Board Prosecutor  
Adam Williams, Esquire, Board Prosecutor  
Mark R. Zogby, Esquire, Board Prosecutor  
Jonelle Harter Eshbach, Esquire, Board Prosecutor  
Suzanne Zerbe, Board Administrator  
Marc Farrell, Deputy Policy Director, Department of  
State  
Andrew LaFratte, MPA, Executive Policy Specialist,  
Department of State

State Board of Medicine  
May 25, 2021

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ALSO PRESENT:

- Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants
- Nicole Sidle, Republican Executive Director, House Professional Licensure Committee
- Kerry E. Maloney, Esquire, Post & Shell
- Angie Armbrust, Senior Associate, McNees-Winter Group LLC
- Andrew C. Harvan, Esquire, Pennsylvania Medical Society
- Andrea Wandling, Human Resources Manager, Pennsylvania Association of Community Health Centers
- Haley Ast, ND
- Tanya Miller, MS, LAT, ATC, Pennsylvania Athletic Trainers' Society
- Timothy Stooksberry, M.D., West Virginia University
- Randy Stevens, Pennsylvania Orthotic & Prosthetic Society
- Charles Hartwell, Esquire, Dethlefs-Pykosh Law Group
- Lisa Claypool Stevenson, Senior Associate Counsel, University of Pittsburgh Medical Center
- Heather Wright, ND, FABNO, President, Oncology Association of Naturopathic Physicians

1 State Board of Medicine

2 May 25, 2021

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4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
5 9:00 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 Board  
10 and to receive the advice of counsel. The Board  
11 returned to open session at 10:30 a.m.]

12 \*\*\*

13 [Theodore Stauffer, Executive Assistant, Bureau of  
14 Professional and Occupational Affairs, noted the  
15 meeting was being recorded, and those who remained on  
16 the line were giving their consent to be recorded.]

17 \*\*\*

18 The regularly scheduled meeting of the State  
19 Board of Medicine was held on Tuesday, May 25, 2021.  
20 Mark B. Woodland, M.S., M.D., Chair, called the  
21 meeting to order at 10:50 a.m.

22 \*\*\*

23 Introduction of Board Members/Audience

24 [Chair Woodland announced everyone in attendance.]

25 \*\*\*

1 Approval of minutes of the April 13, 2021 meeting

2 CHAIR WOODLAND:

3 The first thing on our agenda is  
4 approval of minutes from April 13, 2021.

5 Do I have a motion for approval?

6 DR. YEALY:

7 So moved.

8 CHAIR WOODLAND:

9 Do I have a second?

10 DR. SILVER:

11 Second.

12 CHAIR WOODLAND:

13 Any discussion about the minutes?

14 Hearing no discussion.

15 All in favor, say yea. Opposed,  
16 say nay. Any abstentions?

17 [The motion carried unanimously.]

18 \*\*\*

19 Report of Prosecution Division

20 [Mark B. Woodland, M.S., M.D., Chair, noted prior  
21 discussion during Executive Session and no need for a  
22 further report on any of the cases.]

23 MS. WALTER:

24 Pursuant to Section 708(a)(5) of the  
25 Sunshine Act, the Board entered into

1 Executive Session this morning at 9 a.m.  
2 for the purpose of conducting quasi-  
3 judicial deliberations on a number of  
4 matters that are currently pending  
5 before the Board and to receive advice  
6 of counsel; specifically, the Board  
7 discussed the Consent Agreements that  
8 are listed on the agenda, along with  
9 agenda items 24 through 39.

10 I believe the Board would entertain  
11 a motion to approve the Consent  
12 Agreements at agenda items 2 through 6,  
13 8, 10, and 11.

14 Number 2 is Case No. 20-49-001737;  
15 No. 3, Case No. 20-49-002306; No. 4,  
16 Case No. 18-49-006452; No. 5, Case No.  
17 21-49-00004; No. 6, Case No. 20-49-  
18 000878; No. 8, Case No. 19-49-018092;  
19 No. 10, Case No. 21-49-002386; and No.  
20 11, Case No. 21-49-003130.

21 Is there a motion?

22 CHAIR WOODLAND:

23 I need a motion.

24 DR. YEALY:

25 So moved.

1 CHAIR WOODLAND:

2 I heard Yealy move. I need a second.

3 MR. EISENHAUER:

4 Second.

5 CHAIR WOODLAND:

6 Any discussion? Hearing no discussion.

7 All in favor, say yea. All

8 opposed, say nay. Any abstentions?

9 [The motion carried unanimously. The Respondent's  
10 name in number 2 is Constance R. Tambakis-Odum, M.D.;  
11 No. 3, Joseph Nicholas DiCroce, M.D.; No. 4, Peter  
12 James Ridella, M.D.; No. 5, David J. Shiling, M.D.;  
13 No. 6, Kerry Ira Weiss, M.D.; No. 8, Dominique  
14 Etienne, PA-C.; No. 10 is VRP Agreement; and No. 11 is  
15 a VRP Agreement as well.]

16 \*\*\*

17 MS. WALTER:

18 Item 7 on the agenda is Case No. 20-49-  
19 013668, for which Dr. Valigorsky was  
20 recused.

21 I believe the Board would entertain  
22 a motion regarding this Consent  
23 Agreement.

24 CHAIR WOODLAND:

25 Do I have a motion to approve?

1 MR. EISENHAUER:

2                   So moved.

3 CHAIR WOODLAND:

4                   Second, please?

5 MR. DILLON:

6                   Second.

7 CHAIR WOODLAND:

8                   Any discussion on this one?   Hearing no  
9                   discussion.

10                   All in favor, say yea.   All  
11                   opposed, say nay.   Any abstentions?

12 [The motion carried.   Dr. Valigorsky recused himself  
13 from deliberations and voting on the motion.   Dr.  
14 Yealy opposed the motion.   The Respondent's name is  
15 Fred Michael Michalac, LRT.]

16   \*\*\*

17 MS. WALTER:

18                   We can move on now to number 9 at Case  
19                   Nos. 20-49-003840 & 20-49-014145.   Drs.  
20                   Valigorsky and Domen were recused from  
21                   this matter.

22                   I believe the Board would entertain  
23                   a motion to approve this Consent  
24                   Agreement.

25 CHAIR WOODLAND:



1 Do I have a motion?

2 DR. YEALY:

3 So moved.

4 CHAIR WOODLAND:

5 Second?

6 DR. SILVER:

7 Second.

8 CHAIR WOODLAND:

9 Any further discussion on this case?

10 Hearing no discussion.

11 All in favor, say yea. All

12 opposed, say nay. Any abstentions?

13 [The motion carried. Dr. Valigorsky and Dr. Domen  
14 recused themselves from deliberations and voting on  
15 the motion. The Respondent's name is Matthew Antoni  
16 Roman, M.D.]

17 \*\*\*

18 Report of Commissioner - No Report

19 \*\*\*

20 Report of Department of Health

21 [Denise A. Johnson, M.D., Acting Physician General,  
22 provided a brief summary of her professional  
23 background.

24 Dr. Johnson stated the Department of Health has  
25 been focusing on vaccination efforts and Pennsylvania

1 has done a great job of getting those over 65 years  
2 old vaccinated. She reported decreasing COVID rates  
3 of infection with efforts being focused on education  
4 and access concerning vaccines. She mentioned  
5 transitioning from large vaccination clinics to  
6 smaller individual providers as well as mobile  
7 clinics.

8 Dr. Johnson stated more than 68 percent of adults  
9 in Pennsylvania had their first dose of vaccine and  
10 anticipated close to 70 percent of adults over 18  
11 getting their vaccinations.

12 Dr. Johnson commented that the Pfizer vaccine has  
13 been approved for those 12 years and older and the  
14 Moderna vaccine is pretty close to seeking that  
15 approval as well. She reported encouraging  
16 vaccinations on that age group and having kids back in  
17 school in person. She mentioned all of the difficulty  
18 in terms of learning loss and socialization and  
19 working diligently to get teachers access to  
20 vaccinations.

21 Dr. Johnson addressed vaccinations and pregnancy,  
22 noting OB/GYN colleagues have been advocating  
23 vaccinations for their patients and helping to make  
24 sure it is available. She noted information was  
25 available on the PA Unites Against COVID website and

1 the U.S. Department of Health & Human Services (HHS)  
2 and the Centers for Disease Control and Prevention  
3 (CDC) have information educating people on pregnancy  
4 and fertility. She mentioned that certain women can  
5 get very ill with Covid-19. The vaccines are very  
6 safe and effective and we recommend vaccinations for  
7 pregnant women as well.]

8 \*\*\*

9 Report of Committee on Health-Related Professionals  
10 [Walter A. Eisenhower, PA-C, reported that the  
11 committee has not met since the last meeting. He  
12 mentioned email correspondence concerning indirect  
13 supervision and the role it plays in the telemedicine  
14 envelope of care as people are working through the  
15 pandemic. He noted that item basically was passed  
16 through and approved by the subcommittee.]

17 \*\*\*

18 Report of Committee on Legislation/Policy Development  
19 and Review - No Report

20 \*\*\*

21 Report of Committee on Licensure Qualifications - No  
22 Report

23 \*\*\*

24 Report of Vice Chair - No Report

25 \*\*\*

1 Report of Board Chair

2 [Mark B. Woodland, M.S., M.D., Chair, mentioned  
3 discussions about the diversity, equity, and inclusion  
4 (DEI) space to provide a wellness space as well as  
5 some issues related to implicit bias.

6 Chair Woodland addressed the Federation of State  
7 Medical Boards Annual Meeting. He noted speakers were  
8 Dr. Ashish Jha, who is the Dean at Brown University  
9 School of Public Health and internationally recognized  
10 for health policy. He mentioned discussion concerning  
11 the pandemic and its impact on medical professionals  
12 and what that looks like going forward in the realms  
13 of the state boards of medicine. He noted  
14 organization of meetings and meeting space may change.

15 Chair Woodland noted the former Secretary of the  
16 Department of Homeland Security, Jeh Charles Johnson,  
17 discussed emerging threats and why emergency  
18 preparedness is so important in an increasing complex  
19 global environment. He noted discussion regarding  
20 real issues for the state Board when it becomes more  
21 of an international relational body and impacts on  
22 Board licensure and qualifications.

23 Dr. Yealy addressed COVID, noting many of the  
24 processes were generated at a different time and  
25 different place and could be a lot more efficient if

1 everyone focused on how things were being practiced  
2 today and hoped for more concrete activity from FSMB.

3 Chair Woodland commented that the state made  
4 adjustments to secure the provider base in a way that  
5 was responsive as well as comprehensive for the  
6 public.

7 Chair Woodland noted making an announcement at  
8 the last meeting about the FSMB Foundation, where the  
9 Board could put out something in the DEI space and  
10 implicit bias, so the Board could discuss that more in  
11 some format outside of the meeting.

12 Chair Woodland highlighted the importance of the  
13 Board trying to make a presence at the FSMB as far as  
14 what the Board looks like as the Pennsylvania State  
15 Board, noting that he is on the education committee  
16 for this coming year, Mr. Dillon is on the editorial  
17 board, and Dr. Domen is just coming off of strategic  
18 planning.

19 Chair Woodland noted a discussion with Dr.  
20 Johnson prior to the meeting about an opportunity for  
21 Dr. Randy Litman, himself, and Dr. Johnson to have a  
22 conversation about synergies and where the Board is as  
23 far as joint efforts on the different state boards.]

24 \*\*\*

25 Veterans' Licensure Report

1 [Andrew LaFratte, MPA, Executive Policy Specialist,  
2 Department of State, presented results of the  
3 Veterans' Licensure Survey conducted over 2019 and  
4 2020. He stated the Veterans' Licensure Survey is  
5 part of a \$422,000 three-year grant the Department of  
6 State received from the United States Department of  
7 Labor in 2018 with the goal to reduce occupational  
8 licensure requirements and explore alternative  
9 approaches, such as certification and maintaining  
10 public health and safety.

11 Mr. LaFratte stated Pennsylvania has one of the  
12 largest veteran populations in the United States with  
13 nearly 1 million veterans and active-duty service  
14 members, military spouses, and dependents. He noted  
15 the United States Department of Labor estimates that  
16 the military trains people in nearly 1,000 civilian  
17 occupations; however, veterans continue to report  
18 finding employment as the most difficult challenge in  
19 transitioning to civilian life and work.

20 Mr. LaFratte addressed military spouses, where  
21 35-50 percent work in fields that require licensure or  
22 certification. He commented that the United Service  
23 Organization (USO) estimates that military families  
24 move once every three years, resulting in over 70  
25 percent of military spouses having to renew their

1 license or get it reissued upon moving. He noted many  
2 military spouses are forced with holding multiple  
3 state licenses at a time due to the uncertainty of  
4 further and future moves, which becomes expensive.

5 Mr. LaFratte noted licensure regulations may  
6 deter veterans or military spouses from entering  
7 licensed professions. He stated the goal is to remove  
8 barriers from veterans and military spouses and help  
9 them in transitioning from military to civilian  
10 employment and to obtain their occupational license.

11 Mr. LaFratte stated over 200 veterans and  
12 military spouses were surveyed who held a license in  
13 Pennsylvania or in another state, and follow-up data  
14 was obtained identifying issues with the transition  
15 process.

16 Mr. LaFratte addressed marketing and data  
17 collection strategies, including the Department of  
18 Veterans Affairs, social and traditional media, and  
19 Facebook and Twitter posts in terms of getting the  
20 word out.

21 Mr. LaFratte addressed respondent profiles,  
22 noting nursing was the most popular license field with  
23 medicine in the middle with 13 responses. He stated  
24 77 percent of the respondents were veterans and 25  
25 percent were military spouses, noting most respondents

1 were from the Army and a good number of responses from  
2 the Army National Guard, Air Force, and Navy.

3 Mr. LaFratte addressed the GI Bill and the use of  
4 that as it pertains to education at 69 percent, noting  
5 the most popular major was healthcare and business and  
6 real estate second.

7 Mr. LaFratte provided a transition overview,  
8 where civilian employment took under six months with  
9 42 percent at zero to three months. He addressed  
10 Pennsylvania's licensure process compared to other  
11 states, noting Pennsylvania is in line with the  
12 national trend. He mentioned that most respondents  
13 received their occupational license within three  
14 months of applying, noting initial medical expenses in  
15 the \$0 to \$1000 categories.

16 Mr. LaFratte addressed difficulty in transferring  
17 military credentials and experience to satisfy state  
18 occupational licensure requirements, which seemed to  
19 pose the most significant barrier to veterans. He  
20 noted that transferring credentials was the veterans  
21 most popular answer, whereas the licensure fees was  
22 the most popular answer for military spouses.

23 Mr. LaFratte stated respondents reported  
24 acceptance of military training, education and  
25 experience, and licensure fee waivers would be the



1 most beneficial to veterans and military spouses.

2       Mr. LaFratte addressed an open comment section,  
3 where respondents provided feedback related to the  
4 survey or occupational licensing in general. He  
5 stated experience and training received from the  
6 military needs to be identified in the civilian  
7 sector, creating a portal to match service members'  
8 talents to civilian employment requirements,  
9 assistance with licensure fees would ease the  
10 transition, and the constant moves between states lead  
11 to expensive licensure costs.

12       Mr. LaFratte addressed policy recommendations and  
13 hurdles, such as duplicate coursework and unnecessary  
14 training. He noted veterans without college degrees  
15 are often pushed to low-skilled jobs even though their  
16 background translates well into the abilities required  
17 to perform the positions. He mentioned the need for  
18 uniform recognition of veterans' skills to aid those  
19 in transitioning into the civilian workforce and to  
20 reduce unfairness.

21       Mr. LaFratte addressed the legislative approach  
22 that would have to be done by the General Assembly by  
23 passing a bill or act. He noted the Maryland  
24 Veterans' Full Employment Act of 2013, where Maryland  
25 licensing boards are required to consider relevant

1 military experience when calculating their years of  
2 practice and requires licensing boards to credit any  
3 substantially equivalent military training and  
4 education.

5 Mr. LaFratte stated the Act requires certain  
6 health occupation boards to assign advisors to  
7 military applicants who would guide veterans through  
8 the licensing process and direct them to opportunities  
9 where they can build credentials if they do not  
10 possess the requisite military experience.

11 Mr. LaFratte stated the Office of Policy at the  
12 Pennsylvania Department of State is developing a  
13 military occupational crosswalk to identify civilian  
14 career opportunities for veterans using their military  
15 experience. He hoped to be able to distribute and  
16 promote the crosswalk this summer.

17 Mr. LaFratte projected the crosswalk will contain  
18 over 350 military occupations across all five branches  
19 of the armed forces with over two-thirds of  
20 occupations residing in the healthcare field. He  
21 noted the goal of the crosswalk is to educate the  
22 state legislature, licensing boards and commissions,  
23 veteran community, and employers on how military  
24 training and experience aligns directly with civilian  
25 education and work experience.

1           Mr. LaFratte addressed a policy recommendation to  
2 be done legislatively is to expedite an application  
3 review for veterans and military spouses by creating  
4 an efficient review process minimizing the amount of  
5 administrative documents and requirements and even  
6 waiving certain licensure prerequisites, including  
7 fees and redundant training requirements.

8           Mr. LaFratte provided a map of states that allow  
9 temporary permits for military spouses and states that  
10 offer expedited application review for military  
11 spouses. He noted Pennsylvania offers temporary  
12 permits for military spouses. He noted this would  
13 have to be done legislatively and with the  
14 infrastructure on the Bureau of Professional and  
15 Occupational Affairs (BPOA) side.

16           Mr. LaFratte addressed initial licensure fee  
17 waivers for military spouses because of the burden in  
18 terms of expenses and renewal of multiple state  
19 licenses due to the uncertainty of moving from state  
20 to state.

21           Mr. LaFratte addressed increasing the presence of  
22 veterans and military spouses on licensing boards to  
23 reflect the licensee population by bringing in  
24 different perspectives to allow for more inclusive  
25 decision-making processes to help govern the

1 professions and remove the barriers for veterans.

2 Mr. LaFratte addressed licensure by examination  
3 for veterans who have already performed the occupation  
4 in the military but may not have the opportunity to  
5 apply for a civilian license in the same field due to  
6 overbearing licensure statutes requiring completion of  
7 a civilian training program before they sit for an  
8 examination. He noted competency-based skills and  
9 knowledge assessments will give veterans an  
10 opportunity to get back to work quickly and prove  
11 their extensive training background and competency.

12 Mr. LaFratte addressed a policy recommendation to  
13 work with education providers and the United States  
14 Department of Defense to develop bridge programs to  
15 fill gaps in training for returning veterans, so when  
16 the overlaps exists between skill set in the military  
17 occupations and those with comparable civilian  
18 occupations, states should provide direction for  
19 bridge training programs for veterans focusing on  
20 gaps.

21 Mr. LaFratte addressed Arizona House Bill 2076  
22 allowing a veteran with healthcare designation to  
23 complete bridge coursework based on a gap analysis  
24 published from the National Council of State Boards of  
25 Nursing. He noted that in order to identify the

1 bridge coursework that a crosswalk was developed from  
2 Gateway Community College's LPN curriculum, NCSBN's  
3 gap analysis, and Arizona State Board of Nursing  
4 rules. He commented that it resulted in a 12-credit  
5 4-month course that prepares students to sit for the  
6 National Council Licensure Examination (NCLEX) for  
7 practical nurses.

8 Mr. LaFratte stated the Illinois Department of  
9 Veterans Affairs developed a corpsman to practical  
10 nurse program, where service members with previous  
11 healthcare training were eligible for the program to  
12 become certified as an LPN.

13 Mr. LaFratte mentioned the United States  
14 Department of Defense (DoD) launched a SkillBridge  
15 program in 2014 that started to gain traction in  
16 Pennsylvania and gives service members the opportunity  
17 to gain work experience through specific industry  
18 training, apprenticeships, or internships during the  
19 last 180 days of service. He noted service members  
20 who participate in the SkillBridge program will  
21 receive military compensation and benefits, where all  
22 the industry partner or employer has to provide is the  
23 training and work experience.

24 Mr. LaFratte provided resources, including the  
25 Pennsylvania Veterans Registry in partnership with the

1 Department of Military and Veterans Affairs. He noted  
2 valuable information on state benefit programs and  
3 other services offered to veterans and military  
4 spouses. He also noted the Department of State  
5 Professional Licensing pages for the latest updates  
6 and any new information related to occupational  
7 licensure in Pennsylvania. He provided a summary of  
8 the survey questions and a list of the Department of  
9 Defense SkillBridge participants.

10 Mr. LaFratte noted the link to the full report  
11 was on the Department of State website under the  
12 professional licensing pages.

13 Chair Woodland thanked Mr. LaFratte for his  
14 presentation and mentioned being pleased that  
15 Pennsylvania already offers expedited application  
16 review of veterans and military spouses but perhaps  
17 there is something that could be done to expand that.  
18 He noted initial licensure fee waivers for military  
19 personnel and spouses may be something the Board could  
20 consider.

21 Chair Woodland recognized that the Board puts  
22 veterans in a bucket of their own and should  
23 capitalize more on the demographics of the individuals  
24 and what provider makeup looks like in the state. He  
25 requested Dr. Yealy and the Licensure and

1 Qualifications Committee look at the recommendations  
2 and suggestions and report back to the Board at the  
3 next meeting with some of the ideas.]

4

\*\*\*

5 Report of Board Counsel - Regulatory Status Report  
6 [Cynthia K. Montgomery, Esquire, Deputy Chief  
7 Counsel/Regulatory Counsel, Department of State,  
8 addressed proposed rulemaking for 16A-4941 regarding  
9 child abuse reporting requirements as published in the  
10 *Pennsylvania Bulletin*.

11 Ms. Montgomery noted no public comments were  
12 received. She mentioned receiving comments from the  
13 Independent Regulatory Review Commission (IRRC), where  
14 the Board is required under the Regulatory Review Act  
15 to consider all of those comments and respond to them  
16 in final-form rulemaking and presented a summary of  
17 the comments and proposed responses. She provided a  
18 draft of the final-form regulation with the suggested  
19 responses incorporated.

20 Ms. Montgomery referred to § 16.19 regarding  
21 continuing medical education, where IRRC stated the  
22 Board amended § 16.19 to incorporate the 2 hours of  
23 mandatory continuing education for medical doctors but  
24 did not make any amendments to Chapter 17 in §§ 17.1-  
25 17.6 regarding initial licensure for medical doctors.

1 Ms. Montgomery stated the Board originally did  
2 not have physician assistants and certified nurse  
3 midwives because in all of those sections there is a  
4 cross reference to § 16.12, which is the general  
5 qualifications for licenses and certificates that  
6 applies to everyone and was put in § 16.12. She noted  
7 adding the requirement at § 16.12(3.1), where the  
8 applicant has completed at least 3 hours of approved  
9 training in child abuse recognition and reporting in  
10 accordance with § 16.108(a).

11 Ms. Montgomery noted the section does apply to  
12 all applicants regardless of whether there is a cross  
13 reference or not in various sections. She mentioned  
14 that when the Board noted that it was not in for  
15 physician assistants and nurse midwives, the Board  
16 asked that she add the cross reference, which she did  
17 at that time, but the Board did not consider that it  
18 was not also in the section on licensure.

19 Ms. Montgomery provided the Board with options,  
20 where the Board could explain to IRRC that § 16.12  
21 applies to everyone, so it is not necessary to provide  
22 cross references in Chapter 17. She noted another  
23 option would be that there is one section in § 17.2  
24 related to a license without restriction by  
25 endorsement that does not have the cross reference to



1 § 16.12 and could add the cross reference to § 16.12  
2 to clarify that. She also noted the Board could amend  
3 §§ 17.1-17.6 to add the cross reference to the 3 hours  
4 of child abuse recognition and reporting training that  
5 is required as a condition of licensure for medical  
6 doctors to make it very clear, that not only do they  
7 have to comply with everything in § 16.12 but would  
8 include the 3 hours of continuing education in child  
9 abuse recognition and reporting.

10 Mr. Dillon commented that having as many cross  
11 references as possible was recommended.

12 Chair Woodland mentioned that much of Board  
13 discussion concerning legislative issues was spent on  
14 the unintended consequences of statutes, especially  
15 when it comes to training and training requirements  
16 and to make them meaningful and anything that  
17 streamlines it would be good.

18 Chair Woodland commented that it affects many  
19 individuals and osteopathic medicine colleagues as  
20 well and questioned whether there were any comments  
21 for the State Board of Osteopathic Medicine.

22 Ms. Montgomery noted not receiving any IRRC  
23 comments on the State Board of Osteopathic Medicine  
24 version at this point. She mentioned that the State  
25 Board of Medicine received the most comments because

1 of so many different categories of licensees, and many  
2 of the changes proposed for the Board were also  
3 proposed for other boards so they remain consistent.  
4 She noted many changes were for clarity and to  
5 incorporate other statutory provisions.

6 Ms. Montgomery will take the Board's input and  
7 present the draft of the final-form rulemaking at the  
8 next Board meeting for a vote. She noted that the  
9 vast majority were responded by adding what IRRC asked  
10 or explaining what they questioned. She referred to  
11 the current draft of the final-form rulemaking annex  
12 that has all of the changes suggested with the  
13 exception of the amendments to §§ 17.1-17.6, because  
14 she was not sure of the direction of the Board.

15 Chair Woodland commented that the work Ms.  
16 Montgomery had done was fairly comprehensive for the  
17 input received and thanked her for her efforts.]

18 \*\*\*

19 For the Board's Information/Discussion

20 [Mark B. Woodland, M.S., M.D., Chair, mentioned the  
21 items have already been looked at over the last two  
22 meetings and are more informational. He noted the  
23 remaining 2021 Board meeting dates and the approval of  
24 the 2022 Board meeting dates at a prior meeting.]

25 \*\*\*

1 For the Board's Information/Discussion - Old/New  
2 Business

3 [Dana M. Wucinski, Esquire, Board Counsel, addressed  
4 House Bill 1094 regarding the Professional Licensees  
5 Illegal Employment Act, requiring any department or  
6 administrative board under the Bureau of Professional  
7 and Occupational Affairs (BPOA) to revoke the license  
8 of any individual or business who knowingly hires an  
9 unauthorized alien in connection with the profession  
10 in which the licensee is licensed. She stated it was  
11 last referred to the Professional Licensure Committee  
12 on April 5, 2021.

13 Ms. Wucinski noted House Bill 1176 regarding  
14 resolving implicit bias in health care. She stated  
15 the legislation would ensure health care providers are  
16 providing inclusive care and requires all health-  
17 related boards under the Department of State to  
18 complete implicit bias training as part of each  
19 professions continuing education requirements.

20 Ms. Wucinski referred to House Bill 1186  
21 regarding acupuncture. She noted the bill overlaps  
22 with Board regulations for practitioner of oriental  
23 medicine regulations that are pending right now. She  
24 mentioned it would add the definition of herbal  
25 therapy and practitioner of oriental medicine. She

1 stated it also has an emergency clause and updates the  
2 exemption from licensure, which clarifies that  
3 dentists, podiatrists, and veterinarians are exempt  
4 but also licensees from other states.

5 Ms. Wucinski addressed House Bill 1236 regarding  
6 genetic counselors, which amends the Medical Practice  
7 Act to allow genetic counselors to order genetic  
8 laboratory tests.

9 Chair Woodland commented that House Bill 1176  
10 would add an implicit bias training mandate. He  
11 mentioned that a lot of institutions are also  
12 requiring training for each one of their providers  
13 within their institutions.

14 Mr. Eisenhauer questioned how new graduates would  
15 be dealt with when it is a component part of their  
16 accreditation requirements that the training be done.

17 He questioned whether they will be required to do it  
18 before they obtain licensure and whether a mechanism  
19 could be put in place or would the Board accept that  
20 their competency has been evaluated in implicit bias  
21 and grant them a waiver at least initially.

22 Chair Woodland suggesting providing feedback to  
23 Representative Cephas on those issues. He noted that  
24 the intent of the bill is good in making implicit bias  
25 training mandatory, but the details are a little rough

1 and would have to be orchestrated differently.

2 Chair Woodland commented that House Bill 1094  
3 also may have some unintended consequences, where it  
4 may affect people who unknowingly employ different  
5 people in different realms of their life.

6 Chair Woodland stated House Bill 1186 and House  
7 Bill 1236 seem fairly straightforward in clarifying  
8 and expanding some of the current definitions within  
9 the realm.

10 Ms. Walter addressed House Bill 958 regarding the  
11 Immunization Freedom Act, which sets forth different  
12 requirements for health care practitioners as related  
13 to individuals who choose not to follow the Centers  
14 for Disease Control and Prevention (CDC) vaccination  
15 schedule.

16 Ms. Walter referred to Senate Bill 554 regarding  
17 notices of agency business. She stated the bill  
18 discusses posting on the website agendas and new  
19 requirements for changes to agendas in emergency  
20 situations that would arise prior to or during a Board  
21 meeting.

22 Ms. Walter addressed Executive Order 2021-03  
23 requiring the Department of State, as well as other  
24 departments, to review waivers and suspensions issued  
25 during the disaster declaration and submit a report

1 with recommendations by each department. She noted  
2 the report was prepared and submitted, and any further  
3 action would be up to legislature at this time.

4 Ms. Walter addressed House Bill 1440 that would  
5 create a new license class for medical imaging,  
6 radiation therapy, and radiologist assistants.

7 Chair Woodland expressed concern with House Bill  
8 958, especially Section 3(a)2 under pediatric patients  
9 where a health care provider cannot charge for a  
10 meeting with a parent. He stated parental meetings  
11 could go on for hours, and he has a problem when  
12 legislation says what someone can and cannot bill.

13 Chair Woodland referred to Section 4(b) regarding  
14 the insurers aspect but not unsure whether that should  
15 be legislative.

16 Mr. Yealy stated a patient-physician relation,  
17 whether it is an adult, the child, or the parent is no  
18 longer able to move forward, whether it is from either  
19 side. He did not see this as prohibiting the ability  
20 to transition to a different provider who is more  
21 competent. He noted safeguards are already in place  
22 about timely transitions. He commented that he did  
23 not see what purpose it is serving.

24 Mr. Dillon mentioned reviewing the memo that  
25 often accompanies legislation showing the argument as

1 to why the legislation is important. He mentioned the  
2 text talks about incidents where physicians  
3 demonstrated irrational anger towards patients, and  
4 incidents where the patients felt like they were  
5 financially stigmatized, but he is not sure this a  
6 widespread problem. He noted the legislation seems  
7 like it has a lot of unintended consequences.

8 Chair Woodland commented that the other bills  
9 just enhance the Medical Practice Act and make some  
10 clarification on educational purviews of different  
11 members of licensees.]

12 \*\*\*

13 MOTIONS

14 MS. WUCINSKI:

15 At agenda items 24 and 25, I believe the  
16 Board would entertain a motion to adopt  
17 as final the proposed Adjudications and  
18 Orders for the following: Dilipkumar J.  
19 Joshi, M.D., Case No. 20-49-14418;  
20 Joseph D. Ponsi, M.D., Case No. 21-49-  
21 002815.

22 CHAIR WOODLAND:

23 Do I have a motion?

24 DR. YEALY:

25 So moved.

1 DR. SILVER:

2                   Second.

3 CHAIR WOODLAND:

4                   Any discussion on these two? Hearing no  
5                   further discussion, we will have a vote.  
6                   All those in favor, say yea. All those  
7                   opposed, say nay. Any abstentions?

8 [The motion carried unanimously.]

9   \*\*\*

10 MS. WUCINSKI:

11                   At agenda item 26, I believe the Board  
12                   would entertain a motion to direct Board  
13                   counsel to draft an Adjudication and  
14                   Order addressing exceptions consistent  
15                   with discussions in Executive Session  
16                   for Nihar Bhavesh Gala, M.D., Case No.  
17                   19-49-007344.

18 MR. EISENHAUER:

19                   So moved.

20 MR. DILLON:

21                   Second.

22 CHAIR WOODLAND:

23                   Any further discussion? All those in  
24                   favor, say yea. Any opposed, say nay.  
25                   Any abstentions?



1 [The motion carried unanimously.]

2 \*\*\*

3 MS. WUCINSKI:

4 I believe the Board would entertain a  
5 motion to adopt as final the Draft  
6 Adjudication and Order for Tolulope  
7 Akinyemi, M.D., Case No. 18-49-03624,  
8 noting Dr. Valigorsky is recused.

9 CHAIR WOODLAND:

10 Do I have a motion?

11 MR. DILLON:

12 So moved.

13 CHAIR WOODLAND:

14 Second?

15 DR. YEALY:

16 Second.

17 CHAIR WOODLAND:

18 Any further discussion? All those in  
19 favor, say yea. All those opposed, say  
20 nay. Any abstentions?

21 [The motion carried. Dr. Valigorsky recused himself  
22 from deliberations and voting on the motion.]

23 \*\*\*

24 MS. WUCINSKI:

25 At agenda items 28 and 29, I would note

1                   that the Board has directed the Board  
2                   administrator to invite Simon Clifford,  
3                   M.D. and Shirly Shohat, M.D. to apply  
4                   for an institutional license.

5   \*\*\*

6 MS. WUCINSKI:

7                   Moving on to agenda item 30, I believe  
8                   the Board would entertain a motion to  
9                   grant the Application Initial License to  
10                  Practice as a Physician and Surgeon by  
11                  Endorsement to Antoine Wadih, M.D.,  
12                  noting that Dr. Yealy is recused.

13 CHAIR WOODLAND:

14                  Do I have a motion?

15 MR. DILLON:

16                  So moved.

17 MR. EISENHAUER:

18                  Second.

19 CHAIR WOODLAND:

20                  Any further discussion? All those in  
21                  favor, say yea. Any opposed, say nay.  
22                  Any abstentions?

23 [The motion carried. Dr. Yealy recused himself from  
24 deliberations and voting on the motion.]

25   \*\*\*

1 MS. WUCINSKI:

2 At agenda items 31 and 32, I believe the  
3 Board would entertain a motion to  
4 approve the Initial Supervising  
5 Agreement between Kristin Bresnan, M.D.  
6 and Bridgett Brown, PA-C and between  
7 Aseem Shukla, M.D. and Monica Fraatz,  
8 PA-C.

9 DR. DOMEN:

10 So moved.

11 DR. YEALY:

12 Second.

13 CHAIR WOODLAND:

14 Any further discussion on these two?  
15 Hearing none. All those in favor, say  
16 yea. All those opposed, say nay. Any  
17 abstentions?

18 [The motion carried unanimously.]

19 \*\*\*

20 MS. WUCINSKI:

21 At agenda items 33 through 39, I believe  
22 the Board would entertain a motion to  
23 direct the Board administrator to send a  
24 standard reentry letter to the  
25 following: Jordan Bigio, M.D.; Paul

1                   Marc Paris, M.D.; Roger Hershliine,  
2                   M.D.; Allison Kunkel, LAT; Beth Bond,  
3                   LAT; Jennifer Young, LAT; Ryan Brewer,  
4                   LAT, noting Dr. Yealy is recused from  
5                   agenda item 34 for Paul Marc Paris, M.D.

6 CHAIR WOODLAND:

7                   Do we have a motion to approve?

8 DR. SILVER:

9                   I move.

10 CHAIR WOODLAND:

11                   Do we have a second?

12 DR. DOMEN:

13                   Second.

14 CHAIR WOODLAND:

15                   Any further discussion? All those in  
16                   favor of everybody except item 34, say  
17                   yea. Anybody opposed? Any abstentions?

18

19                   Let's take item 34 separately. All  
20                   those in favor, say yea. Any opposed,  
21                   say nay. Any abstentions?

22 [The motion carried. Dr. Yealy recused himself from  
23 deliberations and voting on item 34.]

24

\*\*\*

25 Public Session

1 [Mark B. Woodland, M.S., M.D., Chair, addressed a  
2 question received from Susan DeSantis, PA-C,  
3 Pennsylvania Society of Physician Assistants, asking  
4 whether any online written agreements had been  
5 approved for health systems. She questioned whether  
6 health-care waivers would simply expire and go away if  
7 legislature did not act. She noted Senate Bill 671  
8 recently moved out of committee maintaining waivers  
9 for a year, but complete passage of that bill will  
10 take time.

11 Ms. Walter stated that changes to any waivers is  
12 in the hands of legislature at this point. She noted  
13 that any specific things that would be pursuant to the  
14 Board's regulations is certainly something that the  
15 Board could look at as long as there is statutory  
16 authority to pursue that regulation change or  
17 additions.

18 Chair Woodland stated that one of the health  
19 systems in southeastern Pennsylvania made it mandatory  
20 for all of their providers to get vaccinated for  
21 COVID.

22 Dr. Johnson commented that several businesses,  
23 colleges, and medical facilities have made the  
24 decision of requiring vaccination. She mentioned  
25 there were no plans for the state to do any

1 requirements but believed many businesses and  
2 organizations would make that choice.

3 Chair Woodland informed everyone that there is not  
4 a State Board of Medicine licensure requirement for  
5 vaccination of any sort right now in the application  
6 process.

7 Chair Woodland Heather Wright, ND, FABNO,  
8 President, Oncology Association of Naturopathic  
9 Physicians, questioned when 16A-4953 will return to  
10 the Board of Medicine for final rulemaking.

11 Ms. Walter noted being very close to the final  
12 rulemaking. She stated the annex and preamble  
13 concerning naturopathic doctors (NDs) was on the  
14 agenda in possibly April and will be on the agenda in  
15 the next few months.]

16

\*\*\*

17 [Mark B. Woodland, M.S., M.D., Chair, noted the next  
18 Board meeting is June 22. He mentioned there will be  
19 a presentation about the health equity platform for  
20 the state as well as areas of innovation on DEI.]

21

\*\*\*

22 Adjournment

23 CHAIR WOODLAND:

24 Wished everyone a great Memorial Day  
25 weekend and thanked them for their

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participation.

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[There being no other business, the State Board of  
Medicine Meeting adjourned at 12:40 p.m.]

\*\*\*

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.



Samantha Sabatini,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF MEDICINE  
REFERENCE INDEX

May 25, 2021

TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:50	Official Call to Order
10:50	Introduction of Board Members/Audience
10:54	Approval of Minutes
10:54	Report of Prosecution Division
11:00	Report of Department of Health
11:07	Report of Committees
11:08	Report of Board Chair
11:15	Appointment - Andrew LaFratte, MPA, Executive Policy Specialist
11:58	Report of Board Counsel
12:02	For the Board's Information/Discussion
12:27	Motions
12:33	Public Session
12:40	Adjournment