

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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: 10:33 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, May 24, 2022

State Board of Medicine
May 24, 2022

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

BOARD MEMBERS:

Mark B. Woodland, M.S., M.D., FACOG, Chair
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Donald M. Yealy, M.D., Vice Chair
Gerard F. Dillon, Ph.D., Public Member
Walter A. Eisenhauer, MMS, M.Ed., PA-C - Absent
Nazanin E. Silver, M.D., MPH, FACOG
Carolyn Byrnes, M.P.H., C.P.H., Department of Health
Paul J. Valigorsky II, M.D. - Absent
Michael Ripchinski, M.D., MBA, CPE, FAAFP

BUREAU PERSONNEL:

Dana M. Wucinski, Esquire, Board Counsel
Shana M. Walter, Esquire, Board Counsel
Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
Division
Jason T. Anderson, Esquire, Board Prosecution Liaison
Adam J. Williams, Esquire, Board Prosecutor
Matthew Anderson, Esquire, Board Prosecutor
Mark R. Zogby, Esquire, Board Prosecutor
Jonelle Harter Eshbach, Esquire, Board Prosecutor
Jasmira L. Hunter, Board Administrator
Marc Farrell, Deputy Policy Director, Department of
State

State Board of Medicine
May 24, 2022

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Committee
Nicole Sidle, Majority Committee Executive Director,
House Professional Licensure Committee
Tanya Miller, MS, LAT, ATC, Pennsylvania Athletic
Trainers' Society
Lisa Claypool Stevenson, Senior Associate Counsel,
University of Pittsburgh Medical Center
Ted Mowatt, CAE, Vice President, Wanner Associates
Susan DeSantis, PA-C, Pennsylvania Society of
Physician Assistants
Misha Patel, M.D., Curriculum Education Assistant,
Geisinger Commonwealth School of Medicine
Julianna Fazio, MS3, Drexel University College of
Medicine
Jyotsha Natarajan, MS3, Drexel University College of
Medicine
Hannah Cherusseril, MS3, Drexel University College of
Medicine
Alyson Kim, MS3, Drexel University College of Medicine
Peter Liu, MS3, Drexel University College of Medicine
Michele Ann McGinnis

1 State Board of Medicine

2 May 24, 2022

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
5 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 Board
10 and to receive the advice of counsel. The Board
11 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, May 24, 2022.
15 Mark B. Woodland, M.S., M.D., FACOG, Chair, called the
16 meeting to order at 10:30 a.m.

17 Chair Woodland welcomed everyone to the
18 Pennsylvania State Board of Medicine Meeting. He
19 referred to the cadre of medical students attending
20 the meeting, noting that one of the charges of the
21 Federation of State Medical Boards was to get people
22 more involved.

23 Chair Woodland also reminded everyone that the
24 meeting was being recorded, and voluntary
25 participation constituted consent to be recorded.

1 ***

2 Introduction of Board Members/Attendees

3 [Chair Woodland provided an introduction of Board
4 members and attendees.]

5 ***

6 Approval of minutes of the April 19, 2022, meeting

7 CHAIR WOODLAND:

8 The next item on the agenda is approval
9 of our minutes from April 19, 2022. I
10 would like a motion.

11 DR. RIPCHINSKI:

12 So moved.

13 MR. DILLON:

14 Second.

15 CHAIR WOODLAND:

16 Jasmira, do you want to just call a list
17 of members?

18
19 Mark Woodland, yes; Arion Claggett, I;
20 Donald Yealy, yes; Gerard Dillon, yes;
21 Carolyn Byrnes, yes; Mike Ripchinski,
22 yes.

23 [The motion carried unanimously.]

24 ***

25 [Mark B. Woodland, M.S., M.D., FACOG, Chair, announced

1 Carolyn Byrnes would be representing the Department of
2 Health, as Dr. Johnson has also assumed the role of
3 Secretary of Health for the state.

4 Chair Woodland offered to review documents with
5 Ms. Byrnes prior to the next meeting.]

6 ***

7 VICE CHAIR YEALY ASSUMED THE CHAIR

8 ***

9 Report of Prosecution Division

10 MS. WALTER:

11 Pursuant to Section 708(a)(5) of the
12 Sunshine Act, the Board entered into
13 Executive Session at 8:45 a.m. for the
14 purpose of conducting quasi-judicial
15 deliberations and receive advice of
16 counsel.

17 Number 2 on the agenda is Case No.
18 22-49-001981. I believe the Board would
19 entertain a motion to approve this
20 Consent Agreement.

21 ***

22 VICE CHAIR YEALY:

23 Do I have a motion?

24 DR. RIPCHINSKI:

25 I call the motion.

1 MR. DILLON:

2 Second.

3 VICE CHAIR YEALY:

4 We have a motion and a second. Any
5 discussion? Jasmira, do you want to run
6 the vote?

7

8 Dr. Mark Woodland, recuse; Arion
9 Claggett, aye; Dr. Donald Yealy, aye;
10 Mr. Gerard Dillon, aye; Ms. Carolyn
11 Byrnes, abstain; Dr. Michael Ripchinski,
12 aye.

13 [The motion carried. Mark Woodland recused himself
14 from deliberations and voting on the motion. Carolyn
15 Byrnes abstained from voting on the motion. The
16 Respondent's name at number 2 is Edith Del Behr, M.D.]

17 ***

18 MS. WALTER:

19 Numbers 3 and 4 on the agenda are VRP
20 cases. Number 3 is Case No. 22-49-
21 005392. Number 4 is Case No. 22-49-
22 005412.

23 I believe the Board would entertain
24 a motion to approve these Consent
25 Agreements.

1 VICE CHAIR YEALY:

2 Could I have a motion and a second for
3 these two cases?

4 DR. RIPCHINSKI:

5 So moved.

6 MR. DILLON:

7 Second.

8 VICE CHAIR YEALY:

9 We have a motion and a second. Any
10 conversation? If not, Jasmira, could
11 you call the vote?

12

13 Dr. Mark Woodland, yea; Mr. Arion
14 Claggett, aye; Dr. Donald Yealy, yea;
15 Mr. Gerard Dillon, aye; Ms. Carolyn
16 Byrnes, abstain; Dr. Michael Ripchinski,
17 yea.

18 [The motion carried. Carolyn Byrnes abstained from
19 voting on the motion.]

20

21 MS. WALTER:

22 Numbers 5 through 9 on the agenda. I
23 believe the Board would entertain a
24 motion to approve the following Consent
25 Agreements: Number 5, Case No. 20-49-

1 000624; Number 6, Case No. 21-49-006949;
2 Number 7, Case No. 22-49-004131; Number
3 8, Case No. 22-49-003343; Number 9, Case
4 No. 21-49-006896.

5 VICE CHAIR YEALY:

6 We could open this up now. First, we
7 need a motion and a second to go ahead.

8 DR. RIPCHINSKI:

9 So moved.

10 MR. DILLON:

11 Second.

12 VICE CHAIR YEALY:

13 Any dialogue about any of these cases?
14 If not, Jasmira, could you run the vote?

15
16 Dr. Mark Woodland, yea; Mr. Arion
17 Claggett, aye; Dr. Donald Yealy, yea;
18 Mr. Gerard Dillon, yea; Ms. Carolyn
19 Byrnes, abstain; Dr. Michael Ripchinski,
20 yea.

21 [The motion carried. Carolyn Byrnes abstained from
22 voting on the motion. The Respondent's name at number
23 5 is Steven Anthony Lipinski, R.T.; number 6, Ray Allen
24 Sibert; number 7, Marshall Patrick Bahr, M.D.; number
25 8, Elizabeth Cooke Sowerby, L.R.T.; and number 9, Leo

1 George Frangipane Jr., M.D.]

2 ***

3 Motions - Proposed Reports from Hearing Examiner

4 MS. WUCINSKI:

5 Agenda item 12. I believe the Board
6 would entertain a motion to direct Board
7 counsel to draft an Adjudication and
8 Order consistent with discussions in
9 Executive Session for Vikram Panwar,
10 M.D., Case No. 21-49-012423.

11 VICE CHAIR YEALY:

12 I am open to a motion and a second.

13 DR. RIPCHINSKI:

14 So moved.

15 MR. DILLON:

16 Second.

17 VICE CHAIR YEALY:

18 Any conversation about this particular
19 case? If not, Jasmira, could you call
20 the vote?

21

22 Dr. Mark Woodland, yea; Mr. Arion
23 Claggett, aye; Dr. Donald Yealy, yea;
24 Mr. Gerard Dillon, yea; Ms. Carolyn
25 Byrnes, abstain; Dr. Michael Ripchinski,

1 yea.

2 [The motion carried. Carolyn Byrnes abstained from
3 voting on the motion.]

4 ***

5 Motions - Final Adjudications and Orders for
6 Reconsideration

7 MS. WUCINSKI:

8 Agenda item 13. I believe the Board
9 would entertain a motion to adopt as
10 Final the Draft Adjudication and Order
11 for Anna Boyle, M.D., Case No. 20-49-
12 008539. I note that Dr. Valigorsky
13 would be recused, but he is not here
14 today.

15 VICE CHAIR YEALY:

16 I'm opened to entertain a motion and a
17 second on this action.

18 DR. RIPCHINSKI:

19 So moved.

20 MR. DILLON:

21 Second.

22 VICE CHAIR YEALY:

23 Any conversation, dialogue, or
24 questions? Hearing none. Do you want
25 to call the vote, Jasmira?

1

2

Dr. Mark Woodland, yea; Mr. Arion

3

Claggett, aye; Dr. Donald Yealy, yea;

4

Mr. Gerard Dillon, yea; Ms. Carolyn

5

Byrnes, abstain; Dr. Michael Ripchinski,

6

yea.

7

[The motion carried. Carolyn Byrnes abstained from

8

voting on the motion.]

9

10 Motions - Applications

11 MS. WUCINSKI:

12

Agenda item 14. I believe the Board

13

would entertain a motion to grant the

14

Application for an Initial Physician and

15

Surgeon for Abraham Berger, M.D.

16 VICE CHAIR YEALY:

17

I'm open to a motion and a second for

18

this particular action.

19 DR. RIPCHINSKI:

20

So moved.

21 MR. DILLON:

22

Second.

23 VICE CHAIR YEALY:

24

With a motion and a second, any

25

conversation or dialogue about this

1 particular action? Hearing none.
2 Jasmira, could you go through the votes?
3
4 Dr. Mark Woodland, yea; Mr. Arion
5 Claggett, aye; Dr. Donald Yealy, yea;
6 Mr. Gerard Dillon, yea; Ms. Carolyn
7 Byrnes, abstain; Dr. Michael Ripchinski,
8 yea.

9 [The motion carried. Carolyn Byrnes abstained from
10 voting on the motion.]

11 ***

12 MS. WUCINSKI:

13 Agenda item 15. I believe the Board
14 would entertain a motion to
15 provisionally deny the Application for
16 Initial License as a Physician and
17 Surgeon for Cecilia Olugbade-Oseyemi,
18 M.D.

19 VICE CHAIR YEALY:

20 May I have a motion and a second on this
21 particular action?

22 DR. RIPCHINSKI:

23 So moved.

24 MR. DILLON:

25 Second.

1 VICE CHAIR YEALY:

2 Any conversation, dialogue, or
3 questions? Seeing none. Jasmira, could
4 you collect the votes?

5

6 Dr. Mark Woodland, yea; Mr. Arion
7 Claggett, aye; Dr. Donald Yealy, yea;
8 Mr. Gerard Dillon, yea; Ms. Carolyn
9 Byrnes, abstain; Dr. Michael Ripchinski,
10 yea.

11 [The motion carried. Carolyn Byrnes abstained from
12 voting on the motion.]

13

14 MS. WUCINSKI:

15 I'm going to group 16, 17, and 18
16 together. I believe the Board would
17 entertain a motion to grant the
18 following Applications for Graduate
19 Medical Training Licenses: DM, MD; DP,
20 MD; MS, MD.

21 VICE CHAIR YEALY:

22 May I have a motion and a second on
23 these actions?

24 DR. RIPCHINSKI:

25 So moved.

1 MR. DILLON:

2 Second.

3 VICE CHAIR YEALY:

4 With a motion and a second, any
5 conversation, dialogue, or questions?
6 Hearing none. Could we go through the
7 voting?

8

9 Dr. Mark Woodland, yea; Mr. Arion
10 Claggett, aye; Dr. Donald Yealy, yea;
11 Mr. Gerard Dillon, yea; Ms. Carolyn
12 Byrnes, abstain; Dr. Michael Ripchinski,
13 yea.

14 [The motion carried. Carolyn Byrnes abstained from
15 voting on the motion.]

16

17 Motions - Report of Board Administrator

18 MS. WUCINSKI:

19 Agenda item 19. I believe the Board
20 would entertain a motion to
21 provisionally deny the Application for
22 Initial Physician and Surgeon by
23 Endorsement for Archana Mehta, M.D.

24 VICE CHAIR YEALY:

25 May I have a motion and a second?

1 DR. RIPCHINSKI:

2 So moved.

3 MR. DILLON:

4 Second.

5 VICE CHAIR YEALY:

6 Any discussion? Hearing none. Can we
7 do the votes?

8

9 Dr. Mark Woodland, yea; Mr. Arion
10 Claggett, aye; Dr. Donald Yealy, yea;
11 Mr. Gerard Dillon, yea; Ms. Carolyn
12 Byrnes, abstain; Dr. Michael Ripchinski,
13 yea.

14 [The motion carried. Carolyn Byrnes abstained from
15 voting on the motion.]

16 ***

17 MS. WUCINSKI:

18 Agenda item 20 has been tabled till the
19 July meeting.

20 ***

21 MS. WUCINSKI:

22 Moving on to 21. I am going to note
23 that Dr. Yealy is recused from this one.

24 I believe the Board would entertain
25 a motion to grant the Application for an

1 Initial License to Practice as a
2 Physician and Surgeon by Endorsement for
3 Christian Otero, M.D.

4 VICE CHAIR YEALY:

5 May I have a motion for this?

6 MR. DILLON:

7 So moved.

8 ACTING COMMISSIONER CLAGGETT:

9 Second.

10 VICE CHAIR YEALY:

11 With a motion and a second, any
12 discussion? Hearing none. We can
13 proceed with the vote.

14

15 Dr. Mark Woodland, yea; Mr. Arion
16 Claggett, aye; Mr. Gerard Dillon, aye;
17 Ms. Carolyn Byrnes, abstain; Dr. Michael
18 Ripchinski, yea.

19 [The motion carried. Carolyn Byrnes abstained from
20 voting on the motion. Donald Yealy recused himself
21 from deliberations and voting on the motion.]

22

23 MS. WUCINSKI:

24 Agenda item 22. The Board would invite
25 Andrew Fraval, M.D. to apply for an

1 Institutional License.

2 VICE CHAIR YEALY:

3 I would be willing to entertain a motion
4 and a second for this for this action.

5 DR. RIPCHINSKI:

6 So moved.

7 MR. DILLON:

8 Second.

9 VICE CHAIR YEALY:

10 Any discussion? No discussion. Could
11 we go through the roll call vote?

12

13 Dr. Mark Woodland, yea; Mr. Arion
14 Claggett, aye; Dr. Donald Yealy, yea;
15 Mr. Gerard Dillon, yea; Ms. Carolyn
16 Byrnes, abstain; Dr. Michael Ripchinski,
17 yea.

18 [The motion carried. Carolyn Byrnes abstained from
19 voting on the motion.]

20

21 MS. WUCINSKI:

22 I'm going to do 23, 24, and 25 together.
23 I believe the Board would entertain a
24 motion to provisionally deny the
25 Application for a Graduate Medical

1 Training License for the following:
2 Sajid Hussain, M.D.; Sapinder Pal Singh,
3 M.D.; Rana Usman, M.D.

4 VICE CHAIR YEALY:

5 I would be open to a motion and a second
6 on these actions.

7 DR. RIPCHINSKI:

8 So moved.

9 MR. DILLON:

10 Second.

11 VICE CHAIR YEALY:

12 Any discussion? Seeing none. Jasmira,
13 can we go through the votes?

14

15 Dr. Mark Woodland, yea; Mr. Arion
16 Claggett, aye; Dr. Donald Yealy, yea;
17 Mr. Gerard Dillon, yea; Ms. Carolyn
18 Byrnes, abstain; Dr. Michael Ripchinski,
19 yea.

20 [The motion carried. Carolyn Byrnes abstained from
21 voting on the motion.]

22

23 Motions - Applications from Committee on
24 Legislation/Policy Development and Review

25 MS. WUCINSKI:

1 Agenda item 26. I believe the Board
2 would entertain a motion to send a
3 standard reentry letter to Felix
4 Chapovsky, M.D.

5 VICE CHAIR YEALY:

6 I'm willing to entertain a motion and a
7 second on this action.

8 DR. RIPCHINSKI:

9 So moved.

10 MR. DILLON:

11 Second.

12 VICE CHAIR YEALY:

13 Any discussion from the group? Seeing
14 none. Can we go through the vote?

15

16 Dr. Mark Woodland, yea; Mr. Arion
17 Claggett, aye; Dr. Donald Yealy, yea;
18 Mr. Gerard Dillon, yea; Ms. Carolyn
19 Byrnes, abstain; Dr. Michael Ripchinski,
20 yea.

21 [The motion carried. Carolyn Byrnes abstained from
22 voting on the motion.]

23

24 MS. WUCINSKI:

25 Agenda item 27. I believe the Board

1 would entertain a motion to grant the
2 Reactivation Application for Hongbin
3 Liu, M.D.

4 VICE CHAIR YEALY:

5 I'm open to a motion and a second for
6 this action.

7 DR. RIPCHINSKI:

8 So moved.

9 MR. DILLON:

10 Second.

11 VICE CHAIR YEALY:

12 Any discussion? Seeing none. Jasmira,
13 can you call the vote?

14

15 Dr. Mark Woodland, yea; Mr. Arion
16 Claggett, aye; Dr. Donald Yealy, yea;
17 Mr. Gerard Dillon, yea; Ms. Carolyn
18 Byrnes, abstain; Dr. Michael Ripchinski,
19 yea.

20 [The motion carried. Carolyn Byrnes abstained from
21 voting on the motion.]

22

23 Miscellaneous

24 MS. WUCINSKI:

25 Agenda item 28. I believe the Board

1 would entertain a motion to approve the
2 request of Roy Monsour, M.D., to utilize
3 Dr. Jeffrey Wilson to conduct a Reentry
4 Evaluation as outlined in Dr. Monsour's
5 letter to the Board.

6 VICE CHAIR YEALY:

7 May I have a motion and a second for
8 this action?

9 DR. RIPCHINSKI:

10 So moved.

11 MR. DILLON:

12 Second.

13 VICE CHAIR YEALY:

14 Any discussion? Seeing none. Can we go
15 through the vote?

16

17 Dr. Mark Woodland, yes; Mr. Arion
18 Claggett, aye; Dr. Donald Yealy, yea;
19 Mr. Gerard Dillon, yea; Ms. Carolyn
20 Byrnes, abstain; Dr. Michael Ripchinski,
21 yea.

22 [The motion carried. Carolyn Byrnes abstained from
23 voting on the motion.]

24

25

CHAIR WOODLAND RESUMED THE CHAIR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Miscellaneous

[Dana M. Wucinski, Esquire, Board Counsel, noted Dr. Zafar Iqbal appealed the decision of the Board to the Commonwealth Court of Pennsylvania, which is currently being reviewed at Case No. 1190 C.D. 2020.]

Appointment - Prosecution Presentation on Practice Education Remediation Collaboration (PERC) and Nondisciplinary Voluntary Surrender Agreements

[Jason T. Anderson, Esquire, Board Prosecution Liaison, presented to the Board to discuss Practice Education Remediation Collaboration (PERC) and Nondisciplinary Voluntary Surrender Agreements. He commented that the State Board of Nursing used PERC Agreements for years. He explained that it is a voluntary recovery program (VRP)-style agreement for a practice issue related solely to education, where a practitioner may do something in error because of a lack of understanding.

Mr. Anderson mentioned that the agreements are not discipline in the form of public disclosure unless they violate the terms. He stated that individuals are put under terms of a stay in suspension that is deferred while they receive the education as defined

1 over a period of 6-12 months but is not put on the
2 record if they perform all this and the agreement is
3 satisfied and dismissed.

4 Mr. Anderson addressed Nondisciplinary Voluntary
5 Surrender Agreements. He stated the Board of
6 Osteopathic Medicine and Board of Medicine used to
7 have forms on their website where a person could apply
8 for a voluntary surrender of their license. He
9 explained that those were evaluated based on open
10 cases and existing criminal actions and then an order
11 was issued from the Board approving it as disciplinary
12 or nondisciplinary.

13 Mr. Anderson noted the databank had issues with
14 those over the years because of lack of information as
15 to why the license was being surrendered or
16 restricted, and this is an attempt to address that
17 issue.

18 Mr. Anderson explained that they would be
19 nondisciplinary consent agreements approved by the
20 Board for the surrender of the license. He noted it
21 would still be required to be reported to the databank
22 because it is a restriction on licensure because they
23 are surrendering their property interest but would be
24 nondisciplinary, so it would not affect any reciprocal
25 discipline or actions in other states.

1 Mr. Anderson stated the primary goal is for
2 people who do not want their license anymore and to
3 ease that transition. He explained that someone who
4 obtained a license in Pennsylvania and has a property
5 interest, letting it expire or go inactive does not
6 prevent further action. He commented that this would
7 only be for nondisciplinary, and disciplinary would
8 still get the same voluntary surrender agreements or
9 actions.

10 Mr. Anderson further explained that it would not
11 be available to the public to fill in the blanks and
12 is for giving Board counsel and Board members an idea
13 language-wise for the future if they are used and for
14 prosecution to understand the format and template to
15 be used.

16 Mr. Anderson stated the prosecution will be the
17 ones drafting and providing these, and the Board would
18 be signing off on them the same as other consent
19 agreements. He mentioned that it is removing some of
20 the work the attorneys had when there was just a form
21 letter and making sure everything is included
22 information-wise and still allowing the Board the
23 opportunity to vote.

24 Chair Woodland commented that they could be
25 modified for any nuances or circumstances.

1 Mr. Anderson noted Chair Woodland to be correct,
2 where it is supposed to be the language that would be
3 usually similar.

4 Mr. Dillon asked whether other jurisdictions were
5 precluded from acting or would know not to act based
6 on the information.

7 Mr. Anderson stated it would be based on their
8 own practice acts, but most practice acts are similar
9 to Pennsylvania whether it is a disciplinary action in
10 another state or restriction on practice in lieu of
11 investigation. He commented that these are solely for
12 people to want to get rid of a license and move
13 somewhere else. He noted that things can come back as
14 long as they still have property interest in
15 Pennsylvania.

16 Chair Woodland noted the importance of trainees
17 understanding the whole licensure issue to the depth
18 of it and its implications to be able to stop a
19 problem before it becomes an issue.

20 Mr. Anderson informed the Board of prosecution's
21 outreach programs for schools.

22 Chair Woodland commented that the Board might
23 engage those services, especially at the graduate
24 medical education level where it is going to be
25 important for them to understand the different state

1 nuances.

2 Chair Woodland thanked Mr. Anderson for the
3 presentation.]

4

5 Report of Acting Commissioner - No Report

6 [Mark B. Woodland, M.S., M.D., FACOG, Chair, thanked
7 Acting Commissioner Claggett for offering a hybrid
8 platform for the meetings. He also thanked Ms. Hunter
9 and everyone dealing with the technology aspect.]

10

11 Report of Department of Health

12 [Carolyn Byrnes, M.P.H., C.P.H., Department of Health,
13 provided a COVID-19 update, noting 2,899,047 total
14 cases in the state of Pennsylvania as of Monday, which
15 increased 11,331 over the weekend or 3,377 per day.
16 She reported 1,180 hospitalizations, which is up 8
17 compared to Friday. She also reported 44,898 total
18 deaths.

19 Ms. Byrnes stated the Centers for Disease Control
20 and Prevention (CDC) is using COVID community levels
21 to illustrate risk. She reported 27 of Pennsylvania's
22 67 counties are green or low risk, 17 are yellow, and
23 23 are red or high risk as of May 19.

24 Ms. Byrnes reported Pennsylvania administered
25 19,603,894 vaccinations as of May 23 with 72.8 percent

1 of those 5 years of age or older who are fully
2 vaccinated with the United States average at 70.7
3 percent. She noted also administering boosters and
4 third and fourth doses.

5 Ms. Byrnes stated the CDC recommended children 5
6 to 11 years of age should receive a booster five
7 months after their initial Pfizer vaccination as of
8 May 19. She mentioned continuing to reach the under
9 vaccinated populations.

10 Ms. Byrnes addressed data from the CDC estimating
11 that within the Department of Health and Human
12 Services (HHS) region for the week ending May 14 that
13 44 percent of all COVID cases were due to the Omicron
14 BA.2 variant and 56 percent to BA.2.12.1, which is up
15 48 percent from the previous time period. She noted
16 vaccination is expected to protect against severe
17 illness, hospitalizations, and death from infection
18 with the Omicron variant. She also noted therapeutics
19 are available, and details on how to obtain treatment
20 can be found on the Department of Health (DOH)
21 website.

22 Ms. Byrnes informed everyone that seasonal
23 influenza activity in Pennsylvania and the United
24 States was moderate as of the week ending May 14 with
25 decreased activity over the past few weeks. She

1 reported a total of 79,892 laboratory-confirmed
2 influenza cases in 67 counties with a total of 62
3 confirmed influenza-associated deaths and 1 pediatric
4 death.

5 Ms. Byrnes reported five pediatric patients with
6 hepatitis of unknown cause were identified at a
7 hospital in Alabama in October 21. She noted the
8 children had significant liver illness, including some
9 with liver failure with no known cause. She stated
10 the five children tested negative for hepatitis A,
11 hepatitis B, and hepatitis C but tested positive for
12 adenovirus, a common virus that causes cold or flu-
13 like illness or stomach or intestine problems.

14 Ms. Byrnes mentioned that no known contact or
15 common exposures were found among the children and no
16 children had significant underlying medical
17 conditions. She stated the CDC issued a health
18 advisory on April 21 and 36 states reported at least
19 one person under investigation, including
20 Pennsylvania, as of May 18. She reported that the
21 hepatitis does not seem to be associated with COVID or
22 COVID vaccinations.

23 Ms. Byrnes addressed monkeypox, noting cases have
24 been reported in Europe and North America with one
25 confirmed case by the CDC on May 18 in Massachusetts.

1 She stated cases of monkeypox have been previously
2 identified in travelers or residents of West African
3 or Central African countries where monkeypox has been
4 seen regularly. She noted the CDC is issuing a health
5 alert to ask clinicians in the United States to be
6 vigilant to the characteristic rash associated with
7 monkeypox.

8 Ms. Byrnes stated risk to the general public is
9 low, but individuals should seek medical care
10 immediately if you develop a new unexplained skin rash
11 or lesions on any part of the body with or without
12 fever and chills and avoid contact with others.

13 Ms. Byrnes addressed the infant formula shortage,
14 noting it to be largely driven by Abbott's product
15 recall, supply chain issues, and market-based issues
16 outside of the control of the Department of Health.

17 Ms. Byrnes stated the federal government is the
18 primary regulatory jurisdiction over the companies
19 that produce the formula and have been using the
20 Defense Production Act to ensure access to all the
21 resources needed to produce formula. She also stated
22 the Biden administration recently launched Operation
23 Fly Formula and expect shipment will transport the
24 equivalent of 1.5 million 8-ounce bottles of formula.

25 Ms. Byrnes stated the Food and Drug

1 Administration (FDA) and Abbott agreed on the next
2 steps to reopen the Abbott facility in Michigan. She
3 reported the Department of Health has been working
4 closely with the United States Department of
5 Agriculture (USDA) and the Pennsylvania Women,
6 Infants, and Children (WIC) Program and local agencies
7 to ensure consistent information flow.

8 Ms. Byrnes mentioned the Department of Health
9 communicated with them via text messages and WIC
10 recipients to inform them that products with as many
11 as 17 substitutions are available and are trying to
12 expand access within the WIC program.

13 Ms. Byrnes stated the FDA is reporting shortages
14 of General Electric (GE) Healthcare intravenous (IV)
15 contrast media. She referred to a letter to GE
16 Healthcare customers on April 19, where they were
17 rationing orders after a COVID-19 lockdown temporarily
18 shut down a production facility in Shanghai, China.

19 Ms. Byrnes informed everyone the Department of
20 Health issued a health alert regarding a global
21 shortage on May 16 that is expected to last through
22 June 2022. She reported manufacturers also provided
23 instructions on how facilities can make a single-dose
24 vial into multiple doses.

25 Ms. Byrnes noted May is Lyme Disease Awareness

1 Month, and the Department of Health has a free webinar
2 on the training website at pa.train.org for anyone
3 interested in getting continuing medical education
4 (CME). She stated additional resources are available
5 for health care providers on their website.

6 Ms. Byrnes noted May is also Mental Health
7 Awareness month and reminded everyone to take care of
8 themselves and look out for others. She mentioned
9 mental health resources are available on the pa.gov
10 website.

11 Chair Woodland thanked Ms. Byrnes for the
12 presentation. He recognized what the state, country,
13 and the world has gone through with COVID and asked
14 everyone to take a moment to reflect upon the 44,000
15 deaths. He commented that the State Board of
16 Medicine, along with the Department of Health, helped
17 to open access and preserve access to providers in a
18 meaningful way during this time and very much
19 appreciate the activities and actions of everybody on
20 the Board. He thanked the Department of Health for
21 their blast regarding the IV contrast.

22 Chair Woodland addressed the public's reaction to
23 monkeypox, noting that herpes is still a real thing
24 and is not necessarily monkeypox.

25 Chair Woodland reiterated Ms. Byrnes' comments

1 regarding mental health, stating that the workforce is
2 exhausted and many of them have had extraordinary
3 losses during this time. He emphasized the importance
4 of looking out for their own wellness as well.

5 Chair Woodland thanked Ms. Byrnes for her report
6 and being a new member of the Board.]

7

8 Report of Committee on Health-Related Professionals -
9 No Report

10

11 Report of Committee on Legislation/Policy Development
12 and Review - No Report

13 [Mark B. Woodland, M.S., M.D., FACOG, Chair, tabled
14 Dr. Silver's report till the next meeting.]

15

16 Report of Committee on Licensure Qualifications
17 [Gerard F. Dillon, Ph.D., Public Member, stated the
18 committee continues to receive occasional requests
19 from staff to look at applicants where the educational
20 pathway is a little bit of a departure from what is
21 typically seen for licensure.

22 Mr. Dillon noted that when the committee feels
23 very comfortable with the educational pathway after
24 review, it can relay that to staff in order to keep
25 the process of granting the license moving forward.

1 He mentioned that if there are any cases where the
2 committee does not feel comfortable or it disagrees on
3 the acceptability of the pathway, then the cases go to
4 the full Board. He reported two or three such cases
5 since the last meeting.

6 Dr. Yealy commented that having vigorous
7 conversation is healthy for the Board and who they
8 serve, noting this is one of the areas where the Board
9 is tasked to use consistency and flexibility at the
10 same time.

11 Chair Woodland stated the Board is blessed to
12 have Mr. Dillon as a public member and expressed
13 appreciation for his ability to help with all the
14 issues.]

15 ***

16 Report of Vice Chair - No Report

17 ***

18 Report of Board Chair

19 [Mark B. Woodland, M.S., M.D., FACOG, Chair, addressed
20 his attendance at the Federation of State Medical
21 Boards Annual Meeting April 28-30 in New Orleans. He
22 mentioned the feature speaker was Dr. Rachel Levine,
23 who gave an incredible presentation about where the
24 country is pertaining to health and human services.
25 He informed Board members that Dr. Levine gave a

1 shout-out to the Pennsylvania State Board of Medicine.

2 Chair Woodland mentioned there were speakers on
3 protecting the public in times of turmoil and what is
4 ahead in medical regulation, along with provided some
5 ideas of what things looks like for the future.

6 Chair Woodland noted a report on COVID as well as
7 the opioid epidemic by Regina LaBelle, who is the
8 director of the Addiction and Public Policy Initiative
9 at the O'Neill Institute for National and Global
10 Health Law at Georgetown.

11 Chair Woodland stated the panel discussion about
12 telemedicine and updates on the United States Medical
13 Licensing Examination (USMLE) was helpful.

14 Chair Woodland addressed concurrent sessions on
15 trends in continuing medical education, diversity,
16 equity, and inclusion and physician sexual misconduct
17 as well as digital credentials; communicating with
18 licensees; and North Carolina Regulatory Immersion
19 Series.

20 Chair Woodland addressed the importance of
21 communicating with licensees and medical students. He
22 mentioned FSMB asked the Board to consider State Board
23 of Medicine Meetings be hosted by different
24 educational institutions throughout the state, so
25 people know what the Board does and the importance.

1 Chair Woodland noted a panel discussion about
2 bending the truth, misinformation, and disinformation.
3 He also noted a session on physician health and well-
4 being. He addressed a presentation by the chief
5 clinical officer of Google, Dr. Michael Howell, who
6 spoke about healthcare technology and healthcare data
7 collection, including on devices, and what the
8 implications to licensure qualifications are on the
9 state realms of an international type, if not global
10 type, of resource.

11 Ms. Wucinski also addressed her attendance at the
12 FSMB Annual Meeting. She reported significant changes
13 to the USMLE since 2020. She noted pandemic
14 disruption with emphasized collaboration with medical
15 schools, faculties, and students at the local level.
16 She stated USMLE expressed their appreciation to state
17 medical boards for their flexibility and patience.

18 Ms. Wucinski addressed a shift in reporting of
19 Step 1 from a score to a pass/fail. She explained
20 that the outcome for Step 1 taken before January 25,
21 2022, would be reported in a numeric and pass/fail;
22 but Step 1 taken after January 2022 is only going to
23 be reported in a pass/fail.

24 Ms. Wucinski noted USMLE has opted the four-test
25 limit but gives the boards the ability to request an

1 additional attempt. She reported Step 2 Clinical
2 Skills is still up in the air. She noted improvements
3 to the clinical skills assessment and with the
4 existing USMLE series.

5 Ms. Wucinski noted there has been a diversity,
6 equity, and inclusion aspect of the USMLE, along with
7 working in enhancing practices related to the
8 Americans with Disabilities Act (ADA). She noted the
9 FSMB House of Delegates adopted a landmark formal
10 policy on physician sexual misconduct in 2020. She
11 discussed recommendations given by FSMB.

12 Ms. Wucinski addressed pandemic-related
13 development with waiver discussion amongst other
14 states and reported Pennsylvania is ahead of the game.

15 Chair Woodland mentioned that he has been pushing
16 for more involved from everyone with the Federation of
17 State Medical Boards. He noted being nominated as one
18 of the candidates for the board of directors for the
19 Federation of State Medical Boards and secured a two-
20 year spot on the board of directors.

21 Chair Woodland noted FSMB came out with its
22 annual report looking at data of the physician
23 workforce in the country and provided a copy for the
24 Board's review, along with the website.

25 Chair Woodland informed everyone that the

1 American Medical Association (AMA) came out this past
2 month with their 2021 Telehealth Survey that has
3 overlying implications for the Board when looking at
4 licensure and qualifications to better understand
5 telehealth.

6 Chair Woodland mentioned the growing issue in the
7 state of Pennsylvania of gun violence and is planning
8 to orchestrate a special presentation with Ms. Hunter.

9 Mr. Dillon also addressed his attendance at the
10 Federation of State Medical Boards Meeting. He
11 discussed spending time with public members from other
12 jurisdictions, often talking with them about the
13 chemistry of the boards and how well public members
14 are accepted. He believed the vast majority of the
15 public members felt the way he does as a public
16 member, noting there is a lot of support for non-
17 healthcare individuals being involved with this
18 process.

19 Chair Woodland again noted being appreciative of
20 Mr. Dillon's perspective and concepts, noting it to be
21 an important part of the Board.]

22

23 For the Board's Information/Discussion - Old
24 Business/New Business

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

1 House Bill 2401 of 2022 under the Health Care
2 Facilities Act that would allow nurse practitioners
3 and physician assistants to order home health care
4 services.

5 Ms. Wucinski commented that Board counsel would
6 reach out to Board members to get their position if
7 they are asked to do any type of bill analysis.

8 Ms. Wucinski referred to House Bill 2419 of 2022,
9 which addresses telehealth psychiatric and advanced
10 practice professional supervision requirements in
11 outpatient psychiatric clinics. She noted many
12 behavioral health providers moved to an entirely
13 virtual model to make mental health services more
14 accessible during COVID, stating the legislation is
15 going to help outpatient psychiatric clinics meet
16 demand and address shortages.

17 Dr. Ripchinski commented that one of his staff
18 members brought it to his attention that House Bill
19 2419 never defined treatment staff member in 2018. He
20 noted it was an interesting find because not knowing
21 whether treatment staff member includes a nurse, or a
22 front desk person would affect the hours a
23 psychiatrist would have to be participating for
24 oversight.]

25

1 Regulations Update

2 [Shana M. Walter, Esquire, Board Counsel, informed
3 Board members that numerous comments were received
4 related to the naturopathic doctor regulations and
5 thanked the legal assistants for putting those
6 together. She noted she would prepare responses to
7 the comments for the June or July meeting. She
8 further explained that comments from IRRC and other
9 comments related to specific provisions of the
10 regulation would be addressed individually.]

11 ***

12 Public Comment

13 [Mark B. Woodland, M.S., M.D., FACOG, Chair, invited
14 medical students in attendance to talk about what they
15 learned from the meeting.

16 Julianna Fazio, MS3, Drexel University College of
17 Medicine, appreciated the opportunity to witness how
18 efficiently the Board works together to address all
19 the items on the agenda.

20 Jyotsha Natarajan, MS3, Drexel University College
21 of Medicine, appreciated the opportunity to sit in on
22 the meeting to see the perspective of medicine from
23 the Board.

24 Hannah Cherusseril, MS3, Drexel University
25 College of Medicine, stated it was interesting to see

1 how the Board works and thanked everyone for all their
2 hard work throughout COVID.

3 Alyson Kim, MS3, Drexel University College of
4 Medicine, commented that many medical students have
5 friends as law students and attending the meeting
6 showed what they do and how everyone works
7 collaboratively beyond the medical team.

8 Peter Liu, MS3, Drexel University College of
9 Medicine, thanked Dr. Woodland for the invitation. He
10 noted it was good to see how the Board works behind
11 the scenes and the intersection between health and
12 legal aspects.

13 Chair Woodland thanked the medical students for
14 attending the meeting.

15 Dr. Ripchinski appreciated the chance to hear the
16 medical students' comments, noting that to be one of
17 the reasons why they serve on the State Board of
18 Medicine.]

19 ***

20 Upcoming Meetings

21 [Mark B. Woodland, M.S., M.D., FACOG, Chair, noted the
22 next scheduled meeting is on June 21 and referred to
23 the remaining 2022 meeting dates for the Board's
24 review.]

25 ***

1 Adjournment

2 CHAIR WOODLAND:

3 Can I have a motion to close our
4 meeting?

5 DR. RIPCHINSKI:

6 So moved.

7 MR. DILLON:

8 Second.

9 CHAIR WOODLAND:

10 Any further discussion?

11 ***

12 [There being no other business, the State Board of
13 Medicine Meeting adjourned at 11:44 a.m.]

14 ***

15

16

17

18

19

20

21

22

23

24

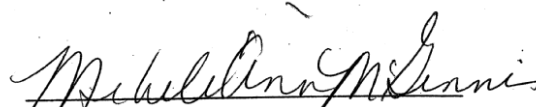
25

26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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.



Michele Ann McGinnis,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MEDICINE
REFERENCE INDEX

May 24, 2022

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	8:45	Executive Session
10	10:30	Return to Open Session
11		
12	10:30	Official Call to Order
13		
14	10:33	Introduction of Board Members/Attendees
15		
16	10:37	Approval of Minutes
17		
18	10:39	Report of Prosecution Division
19		
20	10:43	Motions
21		
22	10:54	Appointment - Prosecution Presentation
23		on Practice Education Remediation
24		Collaboration (PERC) and
25		Nondisciplinary Voluntary Surrender
26		Agreements
27		
28	11:06	Report of Department of Health
29		
30	11:21	Report of Committee on Licensure
31		Qualifications
32		
33	11:23	Report of Board Chair
34		
35	11:35	For the Board's Information/Discussion
36		
37	11:37	Regulations Update
38		
39	11:40	Public Comment
40		
41	11:44	Upcoming Meeting Dates
42		
43	11:44	Adjournment
44		
45		
46		
47		
48		
49		
50		