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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: 9:01 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Tuesday, February 4, 2020

1 State Board of Medicine
2 February 4, 2020
3
4

5 BOARD MEMBERS:
6

7 Keith E. Loisel, Chairman, Public Member
8 K. Kalonji Johnson, Acting Commissioner of
9 Professional and Occupational Affairs
10 Theodore Stauffer, Legal Assistant/Executive
11 Secretary, Bureau of Professional and
12 Occupational Affairs
13 John M. Mitchell, L.P., C.C.P., Vice Chairman
14 Ronald E. Domen, M.D.
15 Mary Pat Howard, Executive Assistant of Quality
16 Assurance, on behalf of Rachel Levine, M.D.,
17 Physician General/Secretary of Health
18 Paul J. Valigorsky II, M.D.
19 Mark B. Woodland, M.D.
20

21 BUREAU PERSONNEL:
22

23 Dana M. Wucinski, Esquire, Board Counsel
24 Shana M. Walter, Esquire, Board Counsel
25 Anita P. Shekletski, Esquire, Board Prosecution
26 Liaison
27 Adam Williams, Esquire, Board Prosecutor
28 Keith E. Bashore, Esquire, Board Prosecutor
29 Bridget Guilfoyle, Esquire, Board Prosecutor
30 Jonelle Harter Eshbach, Esquire, Board Prosecutor
31 Mark R. Zogby, Esquire, Board Prosecutor
32 Jason T. Anderson, Esquire, Board Prosecutor
33 Suzanne Zerbe, Board Administrator
34 Maria Lewis, Intern
35
36 Marc Farrell, Deputy Policy Director, Department of
37 State
38 Steve Latanishen, Director of Intergovernmental
39 Affairs
40 Victor Wills, Director of Legislative Affairs
41 Kim Adams, Chief of Fiscal Management, Bureau of
42 Finance and Operations
43

44 ALSO PRESENT:
45

46 Susan DeSantis, PA-C, Pennsylvania Society of
47 Physician Assistants
48 Mark DeSantis, PA-C, Pennsylvania Society of Physician
49 Assistants
50 Ted Mowatt, Wanner Associates, APA

State Board of Medicine
February 4, 2020 (Continued)

- 1
- 2
- 3
- 4 Randy Stevens, Pennsylvania Orthotic & Prosthetic
- 5 Tanya Miller, MS, LAT, ATC, Pennsylvania Athletic
- 6 Trainers' Society
- 7 Natalie Cook, McNees-Winter Group
- 8 Andrew C. Harvan, PA Medical Society
- 9 Roxanne Jawadi, Medical Student, Drexel University
- 10 Cassandra Mitchell, Medical Student, Drexel University
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1 ***

2 State Board of Medicine

3 February 4, 2020

4 ***

5 The regularly scheduled meeting of the State
6 Board of Medicine was held on Tuesday, February 4,
7 2020. Keith E. Loisel, Chairman, Public Member,
8 called the meeting to order at 9:00 a.m. K. Kalonji
9 Johnson, Acting Commissioner, Bureau of Professional
10 and Occupational Affairs; Mark B. Woodland, M.D.; and
11 Ronald Domen, M.D., were not present at the
12 commencement of the meeting.

13 ***

14 [Chairman Loisel requested that all electronic
15 devices be silenced.]

16 ***

17 Approval of minutes of the December 17, 2019 meeting

18 CHAIRMAN LOISELLE:

19 May we have a motion to approve the
20 Minutes from the December meeting?

21 MR. MITCHELL:

22 So moved.

23 DR. VALIGORSKY:

24 Second.

25 CHAIRMAN LOISELLE:

1 Mr. Mitchell moves. Dr. Valigorsky
2 seconds. All in favor of approval of
3 the December meeting signify by saying
4 aye. Any opposed?

5 [The motion carried unanimously.]

6 ***

7 Introduction of Audience Members

8 [Chairman Loiselle requested the introduction of staff
9 and audience members in attendance.]

10 ***

11 [Roll call was taken. Mr. Mitchell was welcomed as
12 the Board's Vice Chairman.]

13 ***

14 Report of Prosecution Division

15 [Adam Williams, Esquire, Board Prosecutor, presented a
16 Consent Agreement for File No. 17-49-13568.]

17 ***

18 [Anita P. Shekletski, Esquire, Board Prosecution
19 Liaison, presented VRP Consent Agreements for File No.
20 19-49-004229, File No. 19-49-016207, File No. 19-49-
21 016421, File No. 19-49-016842, File No. 19-49-016960,
22 File No. 19-49-012889, and File No. 20-49-001169.]

23 ***

24 [Keith E. Bashore, Esquire, Board Prosecutor,
25 presented Consent Agreements for File No. 17-49-05309,

1 File No. 18-49-007700, File No. 19-49-002131, File No.
2 19-49-009962, File No. 19-49-012501, File No. 19-49-
3 013349, and File No. 19-49-015207.]

4 ***

5 [Paul J. Valigorsky, II, M.D. and John M. Mitchell,
6 L.P., C.C.P., Vice Chairman, exited the meeting at
7 9:22 a.m. for recusal purposes.]

8 ***

9 [Mark B. Woodland, M.D., entered the meeting at 9:22
10 a.m.]

11 ***

12 [Bridget Guilfoyle, Esquire, Board Prosecutor, noted
13 this would be her last meeting with this Board.

14 She presented a Consent Agreement for File No.
15 19-49-010578.]

16 ***

17 [Paul J. Valigorsky, II, M.D. and John M. Mitchell,
18 L.P., C.C.P., Vice Chairman, re-entered the meeting at
19 9:23 a.m.]

20 ***

21 [Bridget Guilfoyle, Esquire, Board Prosecutor,
22 presented a Consent Agreement for File No. 19-49-
23 005224.]

24 ***

25 [Jonelle Harter Eshbach, Esquire, Board Prosecutor,

1 presented a Consent Agreement for File No. 19-49-
2 011653.]

3 ***

4 [Mark R. Zogby, Esquire, Board Prosecutor, presented
5 Consent Agreements for File No. 17-49-08920, File No.
6 18-49-02389, File No. 19-49-011277, and File No. 19-
7 49-014151.]

8 ***

9 [Mark R. Zogby, Esquire, Board Prosecutor, presented
10 Consent Agreements for File No. 19-49-017853, and File
11 Nos. 17-49-09859 and 18-49-004504.]

12 ***

13 [K. Kalonji Johnson, Acting Commissioner of
14 Professional and Occupational Affairs, entered the
15 meeting at 9:40 a.m.]

16 ***

17 [Theodore Stauffer, Legal Assistant/Executive
18 Secretary, Bureau of Professional and Occupational
19 Affairs, exited the meeting at 9:40 a.m.]

20 ***

21 [Jason T. Anderson, Esquire, Board Prosecutor,
22 presented Consent Agreements for File No. 17-49-02996
23 and File No. 18-49-005841 and 19-49-007733.]

24 ***

25 [Mark B. Woodland, M.D., stated a few medical

1 students, who were invited to attend this Board's
2 proceedings, had not yet arrived but would be
3 introduced upon their arrival.]

4

5 Appointment - Annual Budget Presentation

6 [Kim Adams, Chief of Fiscal Management, Bureau of
7 Finance and Operations, referred members to the Annual
8 Budget Presentation for further discussion of an
9 increased licensee population, revenue figures due to
10 renewals and applications, and actual and budgeted
11 expenses.]

12 Ms. Adams noted that the FY '19-'20 Budget
13 indicated a bottom line figured which placed the Board
14 in "great shape financially". She referred to Board
15 Member Expenses for further discussion of the budgeted
16 amount for Fiscal Year '19-'20 and current Board
17 member expenses. There were questions and comments.]

18

19 [Roxanne Jawadi and Cassandra Mitchell, medical
20 students from Drexel University, entered the meeting
21 at 9:55 a.m. and were introduced.]

22

23 Appointment

24 [Steve Latanishen, Director of Intergovernmental
25 Affairs and one of the Governor's liaisons for Boards

1 and Commissions Executive Nominations, explained his
2 job to handle all Board vacancies, nominations,
3 candidate recruitment as well as federal affairs,
4 which equated to approximately 6,500 individual
5 appointments.

6 He remarked that the Governor was very pleased
7 with a public member serving as the Chairman of the
8 State Board of Medicine. Mr. Latanishen noted his
9 awareness of the State Board vacancies and was
10 currently working with the Senate on three licensure
11 packages. He explained the protocol for filling seats
12 in licensure boards. Mr. Latanishen announced that a
13 large package of nominees would soon be forthcoming
14 with confirmation within the next few months.

15 Chairman Loiselle expressed his honor to sit as
16 Chairman and noted himself to be the first non-
17 physician to serve as Chair.

18 Chairman Loiselle suggested that nominees be made
19 aware that an appointment to the State Board of
20 Medicine was a four-year commitment. He requested
21 that the time to replace a Board member be decreased
22 and multiple people be approached to gather a
23 "repository" of potential Board members.

24 Mr. Latanishen asked to be contacted with any
25 recommendations. Chairman Loiselle suggested a "fast

1 track process" or an "emergency appointment process"
2 to fill the Board's vacancies. He requested those in
3 attendance also recommend one name to fill a Board
4 vacancy.

5 Mr. Mitchell suggested this matter be placed as a
6 standing agenda item for discussion of this proposed
7 legislation by the Subcommittee on Legislation and
8 Policy Development.]

9

10 Report of Acting Commissioner

11 [K. Kalonji Johnson, Acting Commissioner, explained
12 the lengthy process of working together with Mr.
13 Latanishen and Mr. Wills to push Board concerns
14 through the legislature.

15 He noted the resignation of Dr. Nirmal Joshi.
16 Dr. Joshi would be formally recognized for his
17 service.]

18

19 Report of Department of Health

20 [Mary Pat Howard, Executive Assistant of Quality
21 Assurance, on behalf of Rachel Levine, M.D., Physician
22 General/Secretary of Health, updated the Board with
23 regard to the Performance Budget-Based Concept that
24 was passed through Act 48 in '17, which called for an
25 independent financial office review of budget, to look

1 at performance-based budget rather than the
2 traditional budget. She noted this had been submitted
3 and, if approved, the Governor and Legislature would
4 review same. She provided copies of the concept for
5 the Board to review.

6 Ms. Howard noted the concept requested every area
7 of the Department of Health be reviewed back to '15's
8 budget-based performance as the resulted outcome
9 measures, including ensuring access to health, HIV
10 drug surveillance, vital statistics, quality assurance
11 (hospital long-term care regulations), or emphasis on
12 another area based on the outcomes.

13 Ms. Howard updated the Board on the Corona Virus
14 and indicated that the virus was a fairly typical
15 virus. This virus had not been seen before but very
16 similar in symptoms to the regular flu. The main
17 symptoms are fever, cough, and shortness of breath or
18 a respiratory-type virus. Ms. Howard noted, to date,
19 there had been 305 deaths in mainland China, but none
20 in the United States. Eleven cases were recently
21 reported in this country. She referred everyone to
22 the website for further information regarding the
23 Corona Virus.

24 Ms. Howard further commented that the flu was
25 currently considered widespread in Pennsylvania, even

1 for those who had received flu shots.

2 Dr. Woodland requested that the Secretary be
3 thanked for her participation in 1,2,3 for Maternal
4 Health, a legislative act that was pushed through by
5 the Pennsylvania section of the American College of
6 OB/GYN. He offered additional information on the
7 matter.

8 Dr. Woodland noted that February was Heart Health
9 Month and commented that there needed to be more
10 awareness that cardiovascular disease for women was
11 underemphasized and a concern.]

12

13 Report of Committee on Health-Related Professionals
14 [John Mitchell, L.P., C.C.P, Vice Chairman, had no
15 report, but noted House Bill 1997 would be discussed
16 with the PAs later on in the meeting.]

17

18 Report of Committee on legislation/Policy Development
19 and Review

20 [Keith Loiselle, Public Member, Chairman, noted House
21 Bill 1997 as well as orthotic renewal language would
22 be discussed later on in the meeting.]

23

24 Report of Committee on Licensure Qualifications
25 [Mark Woodland, M.D., stated reports would be

1 forthcoming on House Bills, as well as 16A-4948
2 Examination Regulation. Bills would also be discussed
3 that would impact licensure and qualifications.]

4 ***

5 Report of the Vice Chairman

6 [John M. Mitchell, L.P., C.C.P., Vice Chairman, had no
7 report.]

8 ***

9 Report of the Board Chair

10 [Keith Loisel, Public Member, Chairman, had no
11 additional comments.]

12 ***

13 Report of Board Counsel

14 [Dana Wucinski, Esquire, and Shana Walter, Esquire,
15 Board Counsel, were present. Ms. Wucinski noted
16 matters for discussion during Executive Session,
17 including Consent Agreements and Items 36 through 52.

18 She referred Board members to the Regulatory
19 Status Report for further discussion of Regulation
20 16A-4948-Examination.

21 Ms. Wucinski explained this regulatory package
22 was originally drafted in April of 2016 but was set
23 aside. She and Ms. Walter considered this as a
24 regulation that should be moved up. Ms. Wucinski
25 explained that the FLEX exam will keep the language

1 that the passing score satisfies the examination
2 requirement for licensure without restriction, as well
3 as National Boards and examination of the Medical
4 Council of Canada and State Board. Language regarding
5 the Federation of State Medical Boards Licensing
6 Examination offered between 1968 and 1984 would be
7 deleted.

8 The USMLE language was updated to be more in line
9 with eligibility requirements set by the USMLE and the
10 National Board of Medical Examiners.

11 Ms. Wucinski explained the next step would be
12 propose an exposure draft moving forward.

13 Dr. Woodland noted the matter was currently in
14 public comment and referred to the USMLE website
15 regarding the InCUS (Invitational Conference on USMLE
16 Scoring) Brief for further review. There was
17 discussion regarding the contemplation of changing
18 from a numerical score to pass/fail scoring system.]

19 MS. WUCINSKI:

20 I believe the Board will entertain a
21 motion to direct Board Counsel to send
22 out an exposure draft of the proposed
23 rulemaking at 16A-4948, the title of that
24 being Examination.

25 DR. WOODLAND:

1 So moved.

2 DR. VALIGORSKY:

3 Second.

4 CHAIRMAN LOISELLE:

5 Dr. Woodland moves, Dr. Valigorsky
6 seconds. All in favor say aye? Any
7 opposed?

8 [The motion carried unanimously.]

9

10 [Ms. Wucinski referred to 16A-4947, Orthotic Fitter
11 Temporary Permits and Training regulation for further
12 discussion. She explained this was originally drafted
13 in 2017 and sent as an exposure draft for public
14 comment. If the Board was still interested, another
15 exposure draft could be distributed. She noted a
16 concern that the 12-month permit does not provide
17 individuals enough time to prepare for the examination
18 and the proposed amendment would amend the language to
19 make the permit valid for 18 months.

20 Language would be added that an individual who
21 had failed the exam three times and whose license had
22 expired must complete another ABC or BOC-approved
23 orthotic fitter precertification education program,
24 after which another permit would be issued for 12
25 months.

1 She noted, further, language would be added that
2 the orthotic fitting experience shall include all
3 facets of orthotic fitting. There was further
4 discussion regarding the matter. The matter would be
5 placed on a future agenda for further comments.

6 Randy Stevens, Director of Legislative Affairs,
7 POPS (Pennsylvania Orthotics Prosthetic Society),
8 commented that the following language should also be
9 added to the regulation: And another organization
10 recognized by ICE (Institute for Credentialing
11 Excellence) and accredited by NCCA (National
12 Commission for Certifying Agencies) as those
13 organizations also meet those standards.]

14 MS. WUCINSKI:

15 If there's no other discussion, I believe
16 the Board would entertain a motion to
17 direct Board Counsel to send out an
18 exposure draft of the proposed rulemaking
19 with the changes that have been discussed
20 in open session today at 16A-4947,
21 Orthotic Fitter Temporary Permits and
22 Training.

23 DR. WOODLAND:

24 Move.

25 MR. MITCHELL:

1 Second.

2 CHAIRMAN LOISELLE:

3 Dr. Woodland moves, Mr. Mitchell seconds.

4 All in favor say aye? Any opposed?

5 [The motion carried unanimously.]

6 ***

7 Current Committee List

8 [Chairman Loisellette stated no additions or subtractions

9 to the list were necessary with the anticipated

10 addition of three new Board members as noted by Mr.

11 Latanishen.]

12 ***

13 Upcoming 2020 and 2021 Medical Board Meeting Dates

14 [Chairman Loisellette requested that members review the

15 dates and notify Ms. Zerbe of any conflicts.]

16 ***

17 House Bill 2182 - Acupuncture Law Modernization

18 House Bill 1997 - Modernizing Physician Assistant

19 Practice

20 [Shana Walter, Esquire, stated the last action on HB

21 2182 was January 2 of 2020, at which time it was

22 referred to the Professional Licensure Committee. The

23 last action on HB 1997 was January 17, 2020, at which

24 time it was referred to the Professional Licensure

25 Committee. She indicated the legislation would now go

1 through the process previously identified by Acting
2 Commissioner Johnson.

3 Ms. Walter explained that the Board could
4 generally discuss the bill, but matters of opinion
5 would be reserved.]

6

7 [Ronald Domen, M.D., entered the meeting at 11:07
8 a.m.]

9

10 [Dr. Woodland commented that HB 2182 contained common
11 language, for a two-year period only 30 hours of
12 continuing education did not seem sufficient regarding
13 the maintenance of clinical skills.

14 Ted Mowatt, Wanner and Associates, on behalf of
15 the APA (Association for Professional Acupuncture)
16 commented that HB 1997 was designed to kind of embed
17 in the statute the concepts published in the
18 regulatory process. He further commented that 30
19 hours of continuing education was typical of all the
20 other non-MD professions in Pennsylvania and average
21 across the country for acupuncturists. Mr. Mowatt
22 noted that the Board offering further comment on the
23 matter would be helpful. There was discussion
24 regarding maintaining oriental medicine language in
25 the legislation.

1 Dr. Woodland commented that under HB 1997, the
2 number of PAs to be supervised by a physician would be
3 determined by the physician. Further comments were
4 offered with regard to physician oversight.

5 Acting Commissioner Johnson commented that
6 supervising a large number of PAs would involve a
7 great deal of paperwork and administrative attention
8 and it may not be appealing to a physician.

9 Dr. Woodland stated the AMA's advocacy resource
10 center reviewed the physician's scope of practice
11 published in 2018 and found that 39 states had
12 established limits on the numbers of PAs a physician
13 can supervise or collaborate with. It would be
14 interesting to observe the limits of the other states.
15

16 Dr. Valigorsky had concerns with the statement in
17 the house bill that supervision shall not require the
18 onsite presence of or personal direction of the
19 supervising physician. Mr. Anderson explained that
20 regulations already had offsite supervision by using
21 telemedicine, that there were certain requirements to
22 be onsite, and the physician did not always have to be
23 onsite but must be immediately accessible. He stated
24 immediately accessible was not defined as well as to
25 the forms of communication to be used and the

1 appropriate procedure.

2 Chairman Loiselle commented that with a physician
3 assistant, who had been well-trained and experienced,
4 it did not matter that the supervising physician was
5 not looking over their shoulder, not in the building,
6 as long as that supervising physician was accessible.
7 He had concerns that agreements between physicians and
8 PAs were placed somewhere and never seen by the Board
9 for approval.

10 Dr. Woodland commented that maybe clinical
11 service hours should be considered. He referred to a
12 chart which summarized the different states and their
13 stance on PA matters that would be sent to all members
14 of the Board.

15 Chairman Loiselle further commented on a much
16 higher confidence level for PA programs in a hospital
17 or facility settings where oversight control was
18 pretty significant.

19 Ms. Wucinski explained that that would not change
20 the review requirements, as that was regulatory, and
21 offered further explanation. Susan DeSantis explained
22 that only 11 states required approval of a written
23 agreement in the country. She reviewed the AMA
24 document for 2018, and there were definitely some
25 legislative changes in a fair number of states, but

1 each would need to be reviewed individually to
2 consider those changes.

3 With regard to substitute supervising physicians,
4 Ms. DeSantis further explained that the definition in
5 the language stated that the substitute was assuming
6 full medical/legal responsibility as if they were
7 acting as the primary.

8 There was additional detailed discussion
9 regarding the Board's concerns. Scenarios with regard
10 to supervision of PAs and review requirements were
11 provided for discussion.

12 Dr. Woodland additionally commented that some
13 unintended consequences could be gaps in the
14 legislation that may be problematic for the Board;
15 such as in medicine transition of care, transition of
16 responsibility was one of the largest places where
17 errors occur.

18 Mr. Stevens explained that access to care was
19 affected by some of the agreements, because PAs cannot
20 sign off on certain documents, which would have to go
21 back to the overseeing physician. He was concerned
22 with how that would be handled.

23 Chairman Loisel stated the Board was all for
24 procedures that relieve any sort of administrative
25 burden provided they can be enacted without putting

1 the patient at risk. He requested that Board Counsel
2 add or delete changes where necessary in the bill so
3 the Board could review the physician assistant law as
4 whole, with those revisions that would be possible if
5 the HB was enacted as written.

6 Medical students in attendance were requested to
7 provide feedback regarding the whole Board process.
8 Ms. Jawadi commented that everyone spoke with
9 "deliberate action and concern" and that was wonderful
10 to see as both a future physician but also as a
11 private citizen.

12 Ms. Mitchell appreciated being at the meeting and
13 "seeing a little bit more behind the scenes" the
14 legislation process going forward, and that opinions
15 could be voiced throughout the entire process.]

16 ***

17 [The Board recessed for lunch at 12:28 p.m. and
18 immediately went into Executive Session until 2:19
19 p.m.]

20 ***

21 [Pursuant to Section 708(a)(5) of the Sunshine Act,
22 the Board entered into Executive Session following a
23 lunch break with Shana M. Walter, Esquire, Board
24 Counsel, and Dana M. Wucinski, Esquire, Board Counsel,
25 for the purpose of conducting quasi-judicial

1 deliberations and to receive legal advice from Board
2 Counsel. The Board returned to open session at 2:19
3 p.m.]

4 ***

5 MOTIONS

6 MS. WALTER:

7 We are going to begin with Items Nos. 3
8 through 9 on the agenda.

9 I believe the Board Chairman would
10 entertain a motion to approve the VRP
11 Consent Agreements at File No. 19-49-
12 004229; File No. 19-49-016207; File No.
13 19-49-016421; File No. 19-49-016842;
14 File No. 19-49-016960; File No. 19-49-
15 012889; and File No. 20-49-001169.

16 CHAIRMAN LOISELLE:

17 Do I have a motion to approve those
18 items?

19 DR. VALIGORSKY:

20 So moved.

21 ACTING COMMISSIONER JOHNSON:

22 Second.

23 CHAIRMAN LOISELLE:

24 Dr. Valigorsky moves, Acting
25 Commissioner Johnson seconds. All in

1 favor, say aye. Any opposed?

2 [The motion carried unanimously.]

3 ***

4 MS. WALTER:

5 I believe the Board would entertain a
6 motion to approve the Consent Agreements
7 at Item No. 2 on the agenda and Item
8 Nos. 10 through 16 and Nos. 18 through
9 27 for File No. 17-49-13568; File No.
10 17-49-05309; File No. 18-49-007700; File
11 No. 19-49-002131; File No. 19-49-009962;
12 File No. 19-49-012501; File No. 19-49-
13 013349; File No. 19-49-015207; File No.
14 19-49-005224; File No. 19-49-011653;
15 File No. 17-49-08920; File No. 18-49-
16 02389; File No. 19-49-0011277; File No.
17 19-49-014151; File No. 19-49-017853;
18 File Nos. 17-49-09859 and 18-49-004504;
19 File No. 17-49-02996; File Nos. 18-49-
20 005841 and 19-49-007733.

21 I believe the Board would entertain
22 a motion to approve those Consent
23 Agreements.

24 CHAIRMAN LOISELLE:

25 Do I have a motion to approve?

1 MR. MITCHELL:

2 So moved.

3 ACTING COMMISSIONER JOHNSON:

4 Second.

5 CHAIRMAN LOISELLE:

6 Mr. Mitchell moves, Acting Commissioner
7 Johnson seconds. All in favor say aye?
8 Any opposed?

9 [The motion carried unanimously. The Respondent's
10 name for File No. 17-49-13568 is James Richard
11 Bellinger, M.D. The Respondent's name for File No. 17-
12 49-05309 is Nicholas Steven Sellas. The Respondent's
13 name for File No. 18-49-007700 is Kara Linn Szumski.
14 The Respondent's name for File No. 19-49-002131 is
15 Steven J. Giamporcaro, M.D. The Respondent's name for
16 File No. 19-49-009962 is Arpad Szallasi, M.D. The
17 Respondent's name for File No. 19-49-012501 is Michael
18 Andrew Arata, M.D. The Respondent's name for File No.
19 19-49-013349 is David E. Nowak, M.D. The Respondent's
20 name for File No. 19-49-015207 is Charles Tita, M.D.
21 The Respondent's name for File No. 19-49-005224 is
22 Jeffry William Misko. The Respondent's name for File
23 No. 19-49-011653 is Daniel Isaac Borison, M.D. The
24 Respondent's name for File No. 17-49-08920 is Joseph
25 Victor Vernace, M.D. The Respondent's name for File

1 No. 18-49-02389 is Annette M. Alleva, M.D. The
2 Respondent's name for File No. 19-49-011277 is Shawn
3 A. Moyer, L.R.T. The Respondent's name for File No.
4 19-49-014151 is Courtney Renee Sunderland, L.R.T. The
5 Respondent's name for File No. 19-49-017853 is Ashley
6 Anne Weatherby. The Respondent's name for File Nos.
7 17-49-09859 and 18-49-004504 is Stephen Ott Laucks,
8 M.D. The Respondent's name for File No. 17-49-02996
9 is Richard Happ, M.D. The Respondent's name for File
10 Nos. 18-49-005841 and 19-49-007733 is Allyson C.
11 Zeller-Prater.

12 ***

13 MS. WALTER:

14 Now for Item No. 17 on the agenda from
15 which Dr. Valigorsky and Mr. Mitchell
16 recused, I believe the Board would
17 entertain a motion to approve the Consent
18 Agreement for File No. 19-49-010578.

19 CHAIRMAN LOISELLE:

20 Do I have a motion to approve?

21 DR. WOODLAND:

22 So moved.

23 ACTING COMMISSIONER JOHNSON:

24 Second.

25 CHAIRMAN LOISELLE:

1 Dr. Woodland moves, Acting Commissioner
2 Johnson seconds. All in favor say aye?
3 Any opposed?
4 [The motion carried. Mr. Mitchell and Dr. Valigorsky
5 recused from deliberations and voting on the motion.
6 The Respondent's name is Mark Doran Anderson, M.D.]

7 ***

8 MS. WUCINSKI:

9 I believe the Board will entertain a
10 motion to approve the Proposed
11 Adjudication and Order as Final for
12 Agenda Items 37, 38, 40, 41, Matthew
13 Ronald DeJohn, M.D., File No. 19-49-
14 002863, Lilia Gorovits, M.D.; File No.
15 19-49-012760; Arthur John Kranz, M.D.,
16 File No. 18-49-011372; and Dana MacNeal,
17 File No. 19-49-005191.

18 CHAIRMAN LOISELLE:

19 Do I have a motion to approve those
20 cases?

21 DR. WOODLAND:

22 So moved.

23 MR. MITCHELL:

24 Second.

25 CHAIRMAN LOISELLE:

1 Dr. Woodland moves, Mr. Mitchell seconds.
2 All in favor say aye? Any opposed?
3 [The motion carried unanimously.]

4 ***

5 MS. WUCINSKI:

6 I believe the Board will entertain a
7 motion to direct Board Counsel to draft
8 an~~e~~ Adjudication and Order for Agenda
9 Items 36 and 39, Alphonso Brenell Benton,
10 M.D., File No. 19-49-000658 and William
11 King, Jr., M.D., File No. 19-49-003804.

12 CHAIRMAN LOISELLE:

13 Do I have a motion to approve Board
14 Counsel drafting an Adjudication and
15 Order for those two cases?

16 ACTING COMMISSIONER JOHNSON:

17 So moved.

18 DR. WOODLAND:

19 Second.

20 CHAIRMAN LOISELLE:

21 Acting Commissioner Johnson moves, Dr.
22 Woodland seconds. All those in favor say
23 aye? Any opposed?

24 [The motion carried unanimously.]

25 ***

1 MS. WUCINSKI:

2 I believe the Board will entertain a
3 motion to adopt as final the following
4 Draft Adjudications and Orders: Richard
5 Allen Brown, M.D., File No. 15-49-14771
6 and Molly Lea Cable, L.B.S., File No. 16-
7 49-13545.

8 CHAIRMAN LOISELLE:

9 Do I have a motion to approve the Final
10 Adjudications?

11 MR. MITCHELL:

12 So moved.

13 COMMISSIONER JOHNSON:

14 Second.

15 CHAIRMAN LOISELLE:

16 Mr. Mitchell moves, Acting Commissioner
17 Johnson seconds. All in favor say aye?
18 Any opposed?

19 [The motion carried unanimously.]

20 ***

21 MS. WUCINSKI:

22 I believe the Board will entertain a
23 motion to grant the Initial Unrestricted
24 License to Practice Medicine and Surgery
25 of Enrico Danzer, M.D. and Mohammed R.

1 Jendi, M.D.

2 CHAIRMAN LOISELLE:

3 Do I have a motion to approve the
4 applications?

5 DR. WOODLAND:

6 So moved.

7 ACTING COMMISSIONER JOHNSON:

8 Second.

9 CHAIRMAN LOISELLE:

10 Dr. Woodland moves, Acting Commissioner
11 Johnson seconds. All in favor say aye?
12 Any opposed?

13 [The motion carried unanimously.]

14 ***

15 MS. WUCINSKI:

16 I believe the Board will entertain a
17 motion to provisionally deny the Initial
18 Unrestricted License to Practice medicine
19 and Surgery by Endorsement of Ibrahim
20 Toufic Bawab, M.D.

21 CHAIRMAN LOISELLE:

22 Do I have a motion to approve the
23 provisional denial of the Unrestricted
24 License?

25 ACTING COMMISSIONER JOHNSON:

1 So moved.

2 MS. HOWARD:

3 Second.

4 CHAIRMAN LOISELLE:

5 Acting Commissioner Johnson moves, Ms.

6 Howard seconds. All in favor say aye?

7 Any opposed?

8 [The motion carried unanimously.]

9 ***

10 MS. WUCINSKI:

11 I believe the Board will entertain a
12 motion to provisionally deny the request
13 of William Knowles, L.A.T. to waive the
14 examination.

15 CHAIRMAN LOISELLE:

16 Do I have a motion to provisionally deny
17 the athletic trainer, William Knowles?

18 DR. WOODLAND:

19 So moved.

20 ACTING COMMISSIONER JOHNSON:

21 Second.

22 CHAIRMAN LOISELLE:

23 Dr. Woodland moves, Commissioner Johnson
24 seconds. All in favor say aye? Any
25 opposed?

1 [The motion carried unanimously.]

2 ***

3 MS. WUCINSKI:

4 I believe the Board will entertain a
5 motion to grant the Reactivation
6 Application to Practice as a Physician
7 and Surgeon of William J. Hoffman, M.D.

8 CHAIRMAN LOISELLE:

9 Do have a motion to approve the
10 reactivation?

11 DR. VALIGORSKY:

12 So moved.

13 ACTING COMMISSIONER JOHNSON:

14 Second.

15 CHAIRMAN LOISELLE:

16 Dr. Valigorsky moves, Acting Commissioner
17 Johnson seconds. All in favor say aye?
18 Any opposed?

19 [The motion carried unanimously.]

20 ***

21 MS. WUCINSKI:

22 At Agenda Item 49 I believe the Board
23 will entertain a motion to direct the
24 Board Administrator to send Robert
25 McInroy, M.D. the standard re-entry

1 letter.

2 CHAIRMAN LOISELLE:

3 Do I have a motion to send the standard
4 re-entry letter to Dr. McInroy?

5 ACTING COMMISSIONER JOHNSON:

6 So moved.

7 DR. WOODLAND:

8 Second.

9 CHAIRMAN LOISELLE:

10 Acting Commissioner Johnson moves, Dr.
11 Woodland seconds. All in favor say aye?
12 Any opposed?

13 [The motion carried unanimously.]

14 ***

15 MS. WUCINSKI:

16 I believe the Board will entertain a
17 motion to grant the Reactivation
18 Application to Practice as a Physician
19 and Surgeon of Barbara Klock, M.D.

20 CHAIRMAN LOISELLE:

21 Do I have a motion to approve that
22 reactivation?

23 MR. MITCHELL:

24 So moved.

25 ACTING COMMISSIONER JOHNSON:

1 Second.

2 CHAIRMAN LOISELLE:

3 Mr. Mitchell moves, Acting Commissioner
4 Johnson seconds. All in favor say aye?
5 Any opposed?

6 [The motion carried unanimously.]

7 ***

8 MS. WUCINSKI:

9 I believe the Board will entertain a
10 motion to approve the stipulated
11 agreement for Bryne Solberg, M.D. at
12 Commonwealth Court Case No. 1486-CD-2019.

13 ***

14 MR. MITCHELL ASSUMED THE CHAIR

15 ***

16 MR. MITCHELL:

17 Is there a motion to approve the
18 Reinstatement of Bryne Solberg, M.D.?

19 ACTING COMMISSIONER JOHNSON:

20 So moved.

21 DR. VALIGORSKY:

22 Second.

23 MR. MITCHELL:

24 Acting Commissioner Johnson moves, Dr.
25 Valigorsky seconds. All those in favor

1 say aye? Any opposed?

2 [The motion carried. Chairman Loiselles recused from
3 deliberations and voting on the motion.]

4 ***

5 CHAIRMAN LOISELLE RESUMED THE CHAIR

6 ***

7 MS. WUCINSKI:

8 And I believe will entertain a motion to
9 grant mediation authority to the Board
10 Counsel for Cherian John, M.D.,
11 Commonwealth Court Case No. 1391-CD-2019
12 consistent with discussions in Executive
13 Session.

14 CHAIRMAN LOISELLE:

15 Do I have a motion to grant that
16 mediation authority to Board Counsel?

17 ACTING COMMISSIONER JOHNSON:

18 So moved.

19 DR. VALIGORSKY:

20 Second.

21 CHAIRMAN LOISELLE:

22 Acting Commissioner Johnson moves, Dr.
23 Valigorsky seconds. All in favor say
24 aye? Are there any opposed?

25 [The motion carried unanimously.]

1 ***

2 MS. WALTER:

3 The last item which is not reflected on
4 the printed agenda is a request of Harvey
5 Brookman, M.D. to be permitted to apply
6 for reinstatement prior to paying his
7 \$50,000 civil penalty and that he would
8 pay the civil penalty once the Board
9 approves his reinstatement request.

10 I believe the Board would entertain a
11 motion to deny Mr. Brookman's request.

12 CHAIRMAN LOISELLE:

13 Do we have a motion to deny that request?

14 DR. VALIGORSKY:

15 So moved.

16 MR. MITCHELL:

17 Second.

18 CHAIRMAN LOISELLE:

19 Dr. Valigorsky moves, Mr. Mitchell
20 seconds. All in favor say aye? Any
21 opposed?

22 [The motion carried unanimously.]

23 ***

24 {It was noted that Dr. Domen has already been approved
25 for attendance at the April FSMB Conference. Mr.

1 Mitchell would consider attending the conference but
2 it was noted his appointment expires in March of 2020.
3 Acting Commissioner Johnson noted he would tentatively
4 approve two Board members and both Board Counsel to
5 attend. There was further discussion regarding the
6 matter.]

7 ***

8 Adjournment

9 CHAIRMAN LOISELLE:

10 Motion to adjourn?

11 DR. VALIGORSKY:

12 So moved.

13 ACTING COMMISSIONER JOHNSON:

14 Second.

15 CHAIRMAN LOISELLE:

16 Dr. Valigorsky moves, Acting Commissioner
17 Johnson seconds. All in favor say aye?
18 Any opposed?

19 [The motion carried unanimously.]

20 ***

21 [There being no other business, the State Board of
22 Medicine Meeting adjourned at 2:39 p.m.]

23 ***

24

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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.



Evan Bingaman,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MEDICINE
REFERENCE INDEX
February 4, 2020

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7	9:00	Official Call to Order
8		
9	9:02	Approval of Minutes
10		
11	9:03	Introduction of Audience/Roll Call
12		
13	9:06	Report of Prosecution Division
14		
15	9:45	Appointment - Annual Budget Presentation
16		
17	9:55	Appointment - Intergovernmental Affairs
18		
19	10:34	Report of Acting Commissioner
20		
21	10:35	Report of Department of Health
22		
23	10:44	Report of Committee on Health-Related Professionals
24		
25		
26	10:45	Report of Committee on Legislation/Policy Development and Review
27		
28		
29		
30	10:45	Report of Committee on Licensure Qualifications
31		
32		
33	10:47	Report of Board Counsel
34		
35	11:03	For the Board's Information/Discussion
36		
37	1:05	Old Business-New Business
38		
39	12:28	Lunch/Executive Session
40	2:19	Return to Open Session
41		
42	2:19	Motions
43		
44	2:39	Adjournment
45		
46		
47		
48		
49		
50		