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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: 9:04 A.M.

BOARD ROOM C  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

Tuesday, March 12, 2019

State Board of Medicine  
March 12, 2019

BOARD MEMBERS:

Keith E. Loiselle, Chairman, Public Member  
Kalonji Johnson, Acting Commissioner, Bureau of  
Professional and Occupational Affairs  
Joseph E. Losee, M.D., Vice Chairman - Absent  
John M. Mitchell, L.P., C.C.P.  
Loren K. Robinson, M.D., MSHP, Deputy Secretary for  
Health Promotion and Disease Prevention,  
Pennsylvania Department of Health, on behalf of  
Rachel Levine, M.D., Physician General  
Nirmal Joshi, M.D.  
Anna M. Moran, M.D.  
Paul J. Valigorsky II, M.D. - Absent  
Mark B. Woodland, M.D.

BUREAU PERSONNEL:

Peter D. Kovach, Esquire, Board Counsel  
Kerry E. Maloney, Esquire, Board Counsel  
Anita P. Shekletski, Esquire, Board Prosecution  
Liaison  
Keith E. Bashore, Esquire, Board Prosecutor  
Adam L. Morris, Esquire, Board Prosecutor  
Amanda N. Wojciechowski, Board Prosecutor  
Jordan Allen, Intern, Department of State  
Mark R. Zogby, Esquire, Board Prosecutor  
Aaron Hollinger, Board Administrator, on behalf of  
Suzanne Zerbe

ALSO PRESENT:

Susan DeSantis, PA-C, Pennsylvania Society of  
Physician Assistants  
Marc Farrell, Deputy Policy Director, Department of  
State  
Randy Stevens, Pennsylvania Orthotic & Prosthetic  
Society  
Tanya Miller, MS, LAT, ATC, Pennsylvania Athletic  
Trainers' Society  
Ted Mowatt, Wanner Associates, on behalf of the  
Association of Professional Acupuncture

State Board of Medicine  
March 12, 2019

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ALSO PRESENT: (Continued)

- Heather Shultz, D.Ac., Association for Professional Acupuncture
- Mary Marshall, Director, Workforce & Professional Services, The Hospital and Healthsystem Association of Pennsylvania
- David Molony, Association for Professional Acupuncture
- Julie Lachman, ND, Pennsylvania Association of Naturopathic Physicians
- Wesley J. Rish, Esquire, Rish Law Office, LLC
- Dwayne Haus, ND, International Reams Biological Theory of Ionization Practitioners Association
- Charles J. Hartwell, Esquire, Dethlefs-Pykosh Law Group
- Ben Griffith, M.Ac., L.Ac., Dipl.Ac., Chair, Won Institute of Graduate Studies, Association of Professional Acupuncture
- Michael Siget, Legislative and Regulatory Counsel, Pennsylvania Medical Society

1 \*\*\*

2 State Board of Medicine

3 March 12, 2019

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Medicine was held on Tuesday, March 12, 2019.  
7 Keith E. Loiselle, Chairman, Public Member, called the  
8 meeting to order at 9:04 a.m.

9 Loren K. Robinson, M.D., Deputy Secretary for  
10 Health Promotion and Disease Prevention, PA Department  
11 of Health, and Anna M. Moran, M.D., were not present  
12 at the commencement of the meeting.

13 \*\*\*

14 Acknowledge Public - Turn Off Electronic Devices  
15 [Chairman Loiselle requested that all electronic  
16 devices be turned off. He also requested the  
17 introduction of audience members. Roll call was  
18 taken.

19 Chairman Loiselle noted a farewell to Ian Harlow,  
20 who accepted a promotion as the Deputy Secretary for  
21 Regulatory Programs, and wished him the best. He also  
22 announced Kalonji Johnson as the Acting Commissioner.]

23 \*\*\*

24 Approval of Minutes of the February 5, 2019 meeting  
25 CHAIRMAN LOISELLE:

1 We need to approve the minutes from the  
2 previous meeting, and I need a motion to  
3 do that.

4 Do we have a motion to approve the  
5 minutes from the previous meeting?

6 DR. WOODLAND:

7 So moved.

8 DR. JOSHI

9 Second.

10 CHAIRMAN LOISELLE:

11 Dr. Woodland. Dr. Joshi seconds. All  
12 in favor of approval of the minutes, say  
13 aye. Any opposed?

14 [The motion carried unanimously.]

15 \*\*\*

16 Report of Prosecution Division

17 [Adam L. Morris, Esquire, Board Prosecutor, presented  
18 the following Consent Agreements: File No. 18-49-  
19 007938 and File No. 18-49-005206.]

20 \*\*\*

21 [John M. Mitchell, L.P., C.C.P., exited the meeting at  
22 9:11 a.m. for recusal purposes.]

23 \*\*\*

24 [Loren K. Robinson, M.D., Deputy Secretary for Health  
25 Promotion and Disease Prevention, PA Department of

1 Health, entered the meeting at 9:11 a.m.]

2 \*\*\*

3 [Anita P. Shekletski, Esquire, Board Prosecution  
4 Liaison, presented the Consent Agreement for File No.  
5 18-49-02317.]

6 \*\*\*

7 [John M. Mitchell, L.P., C.C.P., reentered the meeting  
8 at 9:14 a.m.]

9 \*\*\*

10 [Anita P. Shekletski, Esquire, Board Prosecution  
11 Liaison, presented the Consent Agreements for File No.  
12 17-49-12570 and VRP File No. 19-49-000044.]

13 \*\*\*

14 [Keith E. Bashore, Esquire, Board Prosecutor,  
15 presented the Consent Agreements for File No. 16-49-  
16 11406 and File No. 18-49-009455.]

17 \*\*\*

18 [Amanda N. Wojciechowski, Esquire, Board Prosecutor,  
19 announced that this was her last meeting with this  
20 Board but will be prosecuting for other Boards. She  
21 presented the Consent Agreements for File No. 14-49-  
22 10659 and 16-49-03969.]

23 \*\*\*

24 [Keith E. Loiselle, Chairman, Public Member, exited  
25 the meeting at 9:29 a.m. for recusal purposes.]

1 \*\*\*

2 [Amanda N. Wojciechowski, Esquire, Board Prosecutor,  
3 presented the Consent Agreement for File No. 17-49-  
4 13003.]

5 \*\*\*

6 [Keith E. Loiselle, Chairman, Public Member, reentered  
7 the meeting at 9:32 a.m.]

8 \*\*\*

9 [Chairman Loiselle requested those who entered the  
10 meeting late introduce themselves.]

11 \*\*\*

12 Report of Acting Commissioner

13 [Kalonji Johnson, Acting Commissioner, Bureau of  
14 Professional and Occupational Affairs, reported that  
15 the Pennsylvania Licensing System (PALS) graduate  
16 medical training (GMT) applications have stabilized in  
17 terms of processing time and average within seven  
18 days.

19 Acting Commissioner Johnson addressed  
20 improvements in customer support, noting a 95%  
21 resolution within the first call.

22 Acting Commissioner Johnson discussed stakeholder  
23 outreach, where he had a positive conversation and  
24 good introduction to the process with the Pennsylvania  
25 Medical Society (PAMED), The Hospital and Healthsystem

1 Association of Pennsylvania (HAP), and the  
2 Pennsylvania Society of Physician Assistants (PSPA).  
3 He noted discussion concerning written and supervisory  
4 agreements and building functionality about the PALS  
5 process to provide easier solutions to problems in the  
6 past with supervisory agreements, which should be  
7 implemented by June.

8 Acting Commissioner Johnson discussed the plan to  
9 start education and outreach to licensees within the  
10 next six weeks to have a series of webinars to assist  
11 licensees and applicants.

12 Acting Commissioner Johnson also noted discussion  
13 regarding delegation functionality that has a longer  
14 development time, possibly June 2020.

15 Acting Commissioner Johnson expressed his  
16 eagerness with working with Mr. Marc Farrell, the  
17 Deputy Policy Director for the Department of State.

18 Chairman Loiselles offered assistance from the  
19 Board and looked forward to working with Mr. Farrell.]

20 \*\*\*

21 For the Board's Information/Discussion - Committee

22 Reorganization

23 [Keith E. Loiselles, Chairman, Public Member, addressed  
24 the need to consider revamping the committees. He  
25 believed committees are a better way to provide the



1 Board and stakeholders with a better way to manage and  
2 handle issues at the Board level.

3 Chairman Loiselle discussed his findings when he  
4 searched Medical Board Committees in other states. He  
5 found that the Executive Committee would be  
6 responsible for hiring and firing and handled at the  
7 Board level. He commented that those issues were  
8 handled statutorily in Pennsylvania and did not think  
9 having an Executive Committee would make sense.

10 Chairman Loiselle noted several committees in  
11 other states. He addressed Licensure and Discipline  
12 Committees in other states, where decisions are based  
13 on what the committee recommends except for  
14 problematic cases that are presented to the full  
15 Board. He commented that the people of Pennsylvania  
16 deserve having every case read.

17 Chairman Loiselle addressed the role of the  
18 Probable Cause Screening Committee. He stated that  
19 prosecution identifies a violation with a licensee and  
20 contacts the Probable Cause Screening Committee to  
21 either order an evaluation of that licensee or  
22 immediately temporarily suspend the license. He noted  
23 that Mr. Mitchell, Dr. Losee, and Dr. Valigorsky were  
24 currently on that committee and recommended keeping it  
25 the same.

1 Chairman Loiselle noted the Health-Related  
2 Professionals Committee meeting following the regular  
3 meeting. He mentioned the Allied Health Professions  
4 report, which will be presented this afternoon by  
5 Mr. Mitchell. He noted that the committee deals with  
6 all the licensees who have issues to be brought before  
7 the Board, where Mr. Mitchell or anyone else on that  
8 committee would discuss those issues in a committee  
9 meeting with the stakeholders and present their  
10 findings to the Board in order for the Board to make a  
11 decision.

12 Chairman Loiselle noted that the Legislation and  
13 Professional Liability Committee was for policies that  
14 require legislative approval.

15 Chairman Loiselle requested Board members  
16 participate on a committee, noting the effort to try  
17 to narrow the list of committees.

18 Chairman Loiselle suggested the Licensure  
19 Qualifications Committee and Policy Development and  
20 Review Committee for Dr. Woodland.

21 Chairman Loiselle noted three or four committees  
22 that should be standing committees but recessed if  
23 there was no work for them to do for a period of time.

24 Chairman Loiselle commented that other states had  
25 ad hoc committees used to address issues of the day,

1 where there was no clear-cut delineation legislatively  
2 or on the policy side and fall under the auspicious of  
3 an ad hoc committee formed specifically for that  
4 purpose. He also noted that stakeholders who have an  
5 issue deemed by the Board to be a meritis issue would  
6 have a person to work with and bring the matter to the  
7 Board for discussion and adjudication. He stated the  
8 professional development was another ad hoc committee.

9 Chairman Loiselle noted the 2019 Annual  
10 Federation of State Medical Boards (FSMB) April 25-27  
11 in Fort Worth, TX. He found his attendance at a prior  
12 meeting to be a wellspring of knowledge, which  
13 provided the opportunity to interact with Board  
14 members from other states to discuss best practices.  
15 He requested Board members attend the meeting.]

16 \*\*\*

17 Report of Committee on Department of Health  
18 [Loren K. Robinson, M.D., MSHP, Deputy Secretary for  
19 Health Promotion and Disease Prevention, Pennsylvania  
20 Department of Health, noted that the Public Health  
21 Accreditation Board's final report should be received  
22 by March 20 and will share the results at next month's  
23 Board meeting. She reminded the Board that the  
24 Department of Health was working to get public health  
25 accreditation, which will help with additional public

1 health funding from foundations and the federal  
2 government.

3 Dr. Robinson stated the recent budget hearings  
4 went well regarding maternal mortality and the opioid  
5 overdose epidemic.

6 Dr. Robinson noted discussion at last month's  
7 meeting concerning mandating Lyme disease continuing  
8 medical education (CME) for all physicians in  
9 Pennsylvania, which the department does not support.

10 Dr. Robinson commented that an investigatory look  
11 into traditional harm reduction, also known as syringe  
12 exchange, had commenced to see what public health  
13 benefits would be regarding a statewide syringe  
14 exchange program and will have more on that next  
15 month.

16 Dr. Robinson noted discussion concerning violence  
17 as a public health issue and how the Department of  
18 Health would address that.

19 Chairman Loiselle questioned whether any  
20 discussion regarding recognition or affirmation  
21 concerning opioid prescribing guidelines, where people  
22 who benefit from long-term opioid use are not getting  
23 the drugs from their normal prescriber because of the  
24 caution that has been made so public.

25 Dr. Robinson stated that correspondence was

1 received via the governor's office from patients with  
2 long-term chronic pain but not much from providers  
3 because of possible worry about professional liability  
4 when noting their concern of under treatment.

5 Dr. Woodland noted 45 Centers of Excellence in  
6 Pennsylvania that have evolved to uncover unknown  
7 facts about opioid-use disorders. He discussed  
8 provider awareness, patient awareness, and alternative  
9 pain management. He commented that it was not just  
10 looking at physicians' medical practices but also oral  
11 medicine and podiatric medicine and if there was an  
12 alternative to opioid use.

13 Dr. Robinson stated the opioid training  
14 requirement sets Pennsylvania apart from other states  
15 that do not have the resources dedicated to the opioid  
16 epidemic.

17 Tanya Miller, MS, LAT, ATC, Pennsylvania Athletic  
18 Trainers' Society, suggested more thorough discussion  
19 between physicians and patients in terms of  
20 alternative treatment with ibuprofen or Tylenol and  
21 getting the message to patients so the patients  
22 clearly understand that opioids are not required like  
23 an antibiotic.

24 Dr. Woodland commented that this was exactly what  
25 was meant by alternative pain management systems. He

1 discussed the acute recovery period, noting that many  
2 medical centers were decreasing the amount of narcotic  
3 and opioid use prescribing and enhancing increased  
4 activity, sort of a naturopathic approach to pain  
5 management.

6 Chairman Loiselle commented that the federal  
7 government was doing its part to make it a national  
8 issue, but Pennsylvania was out in front and had done  
9 a wonderful job getting the recommendations out there.

10 Chairman Loiselle questioned whether being  
11 outside the guidelines as a provider was subject to  
12 discipline.

13 Dr. Robinson remarked that there was no  
14 discipline, and it was left to the physician's  
15 discretion. She noted draft legislation to require  
16 insurance to cover Lyme disease treatment with  
17 language that states a physician should not be held  
18 accountable if they were prescribing outside of  
19 evidence-based recommendations for the duration of  
20 antibiotic therapy, which opens up a wide gate as  
21 legislation and other policies or regulations come  
22 through.

23 Mr. Johnson addressed collaboration with health  
24 and other partners in creating a prescriber's report  
25 card giving prescribers the ability to see where they

1 stand with their peers in terms of prescriptions and  
2 dispensation.]

3 \*\*\*

4 [Anna M. Moran, M.D., entered the meeting at  
5 10:08 a.m.]

6 \*\*\*

7 [Dr. Woodland stated the Department of Health had done  
8 a great job. He addressed a Health Resources &  
9 Services Administration (HRSA) Summit on maternal  
10 mortalities, where the surgeon general called out  
11 programs in Reading on maternal mortality and opioid  
12 disorder. He mentioned the Department of Health's  
13 Warm Hand-off Programs in Pennsylvania for emergency  
14 medicine programs had been hurled across the country  
15 as a standard of care that should be approached in  
16 other states.

17 Mr. Mitchell noted Act 112 mandating hospitals  
18 and providers to report a significant abnormality to  
19 the patient within 20 days.

20 Michael Siget, Legislative and Regulatory  
21 Counsel, Pennsylvania Medical Society, commented that  
22 Dr. Levine put enforcement on hold for a year and was  
23 allowing providers and facilities to submit questions  
24 to the DOH. Mr. Siget cautioned members that just  
25 because DOH did not enforce this, it does not prevent

1 other types of discipline from occurring.

2 Mr. Mitchell noted physician pushback for Act 112  
3 because of possibly panicking patients.

4 Dr. Woodland noted discussion regarding sending  
5 letters, which sort of indicates the fact of what it  
6 was trying to do. He addressed maternal health and  
7 fetal surveillance. He stated, almost every time a  
8 fetal scan was done, it was discussed with the  
9 patient, and then a letter sent afterwards, where  
10 physicians are trying to be compliant with the law but  
11 also take care of patients.

12 Mr. Mitchell questioned whether fetal ultrasounds  
13 were the exceptions to the law. Dr. Woodland  
14 commented that it was any significant finding, where  
15 weekly ultrasounds may be needed, but fetal growth  
16 scans and fetal anatomy scans are exceptions.

17 Dr. Robinson noted that when doing weekly  
18 ultrasounds, by the time the results are back, the  
19 next ultrasound was due again.

20 Chairman Loiselle addressed the law that  
21 restricts movement of malpractice cases from one  
22 jurisdiction to another. He stated the law was being  
23 adjudicated in the Pennsylvania Supreme Court to  
24 decide whether or not to suspend that law to allow  
25 jurisdiction change.



1 Dr. Woodland commented that tort legislation was  
2 initially done by Governor Rendell, and he was asked  
3 to define that, which actually addressed venue. He  
4 noted that this was redressing the venue issue to  
5 remove that piece of it. He stated there was a  
6 problem to change venue or market venue in order to  
7 get a better reimbursement.

8 Dr. Joshi added that it was virtually impossible  
9 to recruit physicians and nurses at the time because  
10 malpractice issues were so pervasive that the state  
11 was seen as one of the most difficult. He commented  
12 that it was such a relief when that happened, meaning  
13 when you could not shop for a venue, that caused a  
14 significant change for the group and now that was  
15 potentially a threat. He noted a whole slew of  
16 physicians writing petitions and active participation  
17 to make sure physicians were heard.

18 Mr. Siget noted over 2,500 comments submitted  
19 from members to the Procedural Rules Committee who  
20 were making the recommendation to the Supreme Court,  
21 with a small victory that they delayed decision-making  
22 on until early next year because the Senate passed a  
23 resolution to have the Legislative Budget and Finance  
24 Committee study this issue. He stated they have to  
25 have a report issued by January, and the Supreme Court

1 decided to delay the decision until after the report  
2 was issued.

3 Mr. Siget further explained that it does not stop  
4 the Procedure Rules Committee from giving them a  
5 recommendation, the Supreme Court has just agreed not  
6 to make a final decision until after the report comes  
7 out. He referred to Senate Resolution 20 on the  
8 General Assembly's website that specifies what the  
9 Legislative Budget and Finance Committee has to study  
10 and then issue a report by January 1, 2020.

11 Mr. Siget noted that soon after, Chief Justice  
12 Saylor sent a letter to the legislature saying that  
13 they would stay a decision until after the report  
14 comes out, where hopefully that report could be  
15 considered along with all of the comments that have  
16 been submitted.

17 Chairman Loiselle remarked that there are already  
18 problems recruiting appropriately trained and  
19 experienced physicians, and when you put up barriers  
20 such as these, it makes that all the more difficult.

21 Mr. Siget stated that comments were over 100  
22 pages, going back prior to the Medical Care  
23 Availability and Reduction of Error (MCARE) Act in  
24 2002. He noted studies and charts of what happened  
25 before, what precipitated the change, and what

1 happened from 2003 till 2017 with the malpractice  
2 insurance cost, the ability to recruit, the number of  
3 residents that were staying in Pennsylvania.

4 Mr. Siget addressed hospital consolidation, where  
5 it opens up smaller hospitals to go into bigger  
6 venues.

7 Dr. Woodland noted core statistics show since  
8 2002 and MCARE being enacted, malpractice cases have  
9 dropped nearly 50% in the state. He thinks the  
10 relationship with the venue change was going to open  
11 up the unraveling of that entire situation.]

12

\*\*\*

13 Report of Committee on Health-Related Professionals  
14 [John M. Mitchell, L.P., C.C.P., mentioned that he was  
15 hopeful that regulations for the naturopaths will be  
16 wrapped up today to get that moving forward.

17 Mr. Mitchell noted complaints concerning written  
18 agreements taking too long and discrepancy letters not  
19 getting back to people on time.]

20

\*\*\*

21 Report of Committee on Legislation and Professional  
22 Liability

23 [Keith E. Loisel, Chairman, Public Member, mentioned  
24 committee changes following additional discussion and  
25 agreement on those changes.]

1 \*\*\*  
2 [Loren K. Robinson, M.D., Deputy Secretary for Health  
3 Promotion and Disease Prevention, PA Department of  
4 Health, exited the meeting at 10:20 a.m. and reentered  
5 the meeting at 10:22 a.m.]

6 \*\*\*  
7 Report of Committee on Continuous Professional  
8 Development - No Report

9 \*\*\*  
10 Report of Committee on Finance and Personnel - No  
11 Report

12 \*\*\*  
13 Report of Committee on Policy Development and  
14 Review  
15 [Keith E. Loisel, Chairman, Public Member, requested  
16 Mr. Farrell provide any pertinent information  
17 regarding policy.

18 Marc Farrell, Deputy Policy Director, Department  
19 of State, informed the Board that he was new to  
20 policy. He commented that he was a career lawyer  
21 prior to the governor's office, dealing with more  
22 regulation-specific issues. He mentioned that he will  
23 be attending all of the Board meetings.]

24 \*\*\*  
25 Report of Board Chairman - No Report

1 \*\*\*

2 Report of Board Counsel

3 [Peter D. Kovach, Esquire, Board Counsel, noted  
4 consent agreements, reports from hearing examiners,  
5 and applications for discussion in executive session.

6 Mr. Kovach also noted a committee meeting to  
7 discuss regulations regarding naturopathic doctors  
8 along with practitioners of oriental medicine.

9 Mr. Kovach addressed the Pennsylvania Sunshine  
10 Act regarding what occurs in public and executive  
11 session and acts that the occur in public session.

12 Mr. Kovach reviewed the Bureau of Professional  
13 and Occupational Affairs Recusal Guidelines concerning  
14 mandatory recusal, strongly suggested recusal,  
15 discretionary recusal, and uncertain recusal.

16 Mr. Kovach discussed the Gift Ban Policy and the  
17 Summary of Conference Travel.

18 Mr. Kovach also addressed the Ten (Additional)  
19 Commandments for Board/Commission Members.]

20 \*\*\*

21 Report of Regulatory Counsel

22 [Peter D. Kovach, Esquire, Board Counsel, noted  
23 naturopathic doctors and practitioners of oriental  
24 medicine and a number of other regulations the Board  
25 discussed that are in various positions.]

1 \*\*\*

2 For the Board's Information/Discussion (Continued) -  
3 Board

4 Meeting Dates

5 [Chairman Loiselles noted upcoming 2019 and 2020 Board  
6 meeting dates.]

7 \*\*\*

8 For the Board's Information/Discussion - FDA to  
9 Increase Oversight of Dietary Supplements Article  
10 [Mark B. Woodland, M.D., noted the FDA to Increase  
11 Oversight of Dietary Supplements Article for the  
12 Board's review.]

13 Chairman Loiselles noted the gray area of whether  
14 it was medicine and does it have the potential to  
15 cause harm.]

16 \*\*\*

17 For the Board's Information/Discussion - Sample  
18 LifeGuard Report

19 [Michael Siget, Legislative and Regulatory Counsel,  
20 Pennsylvania Medical Society, addressed a report  
21 received by LifeGuard regarding reentry-type  
22 evaluation information to get a better feel of what  
23 these reports look like and what they are testing for  
24 if a Board tables an application and requests somebody  
25 to go through a reentry program.]

1 Mr. Siget also noted other organizations that do  
2 monitoring reports more in terms of percentages.]

3

\*\*\*

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
5 10:39 a.m. the Board entered into Executive Session  
6 with Peter D. Kovach, Esquire, Board Counsel, and  
7 Kerry E. Maloney, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations and  
9 to receive legal advice from Board Counsel. The Board  
10 returned to open session at 12:56 p.m.]

11

\*\*\*

12 [Kalonji Johnson, Acting Commissioner, Bureau of  
13 Professional and Occupational Affairs, exited the  
14 meeting during executive session.]

15

\*\*\*

16 For the Board's Information/Discussion - Committee  
17 Reorganization (Continued)

18 [Keith E. Loiselle, Chairman, Public Member, again  
19 noted discussion concerning committee reorganization.  
20 He noted Dr. Woodland's committee on licensure  
21 qualifications, which could provide information  
22 regarding organizations like LifeGuard and Drexel, who  
23 provide services to Pennsylvania Boards and  
24 professional associations.

25

Chairman Loiselle commented that licensees are

1 being referred to these organizations, and it was  
2 incumbent upon the Board to make sure they are doing  
3 what is needed of them. Ms. Moran offered to join  
4 that committee along with Dr. Losee.

5 Chairman Loiselle noted Dr. Valigorsky was on the  
6 Probable Cause Screening Committee and recommended him  
7 for policy and legislation.

8 Chairman Loiselle mentioned the need for an MD  
9 and a public member for full complement.]

10 \*\*\*

11 MOTIONS

12 MR. KOVACH:

13 Pursuant to Section 708(a)(5) of the  
14 Sunshine Act, the Board met in Executive  
15 Session for the purpose of conducting  
16 quasi-judicial deliberations and to  
17 receive advice of Counsel on the matters  
18 upon which the Board is about to vote.

19 We will take the first two as a  
20 set. It is No. 2 on the agenda. Case  
21 No. 18-49-007938 and Case No. 18-49-  
22 005206.

23 Based on the Board's discussions in  
24 executive session, I believe the Board  
25 Chair would accept a motion approving



1 both of those Consent Agreements.

2 CHAIRMAN LOISELLE:

3 Do I have a motion to approve?

4 DR. JOSHI:

5 So moved.

6 DR. MORAN:

7 Second.

8 CHAIRMAN LOISELLE:

9 Dr. Joshi moves. Dr. Moran seconds.

10 All in favor, say aye. Any opposed?

11 [The motion carried unanimously. Item No. 2 at Case  
12 No. 18-49-007938 involved George Yerby Alsop Jr., M.D.  
13 Item No. 3 at Case No. 18-49-005206 involved Lee  
14 Rachelle Wolfer, M.D.]

15 \*\*\*

16 MR. KOVACH:

17 Item No. 4 on the agenda involved  
18 probable cause for which Mr. Mitchell  
19 recused himself and did not participate  
20 in executive session discussion about  
21 that matter. It is Case No. 18-49-  
22 02317.

23 Based on the Board's discussions in  
24 executive session, I believe the Board  
25 Chair would accept a motion approving

1                   that Consent Agreement.

2 CHAIRMAN LOISELLE:

3                   Do I have a motion to approve?

4 DR. JOSHI:

5                   So moved.

6 DR. ROBINSON:

7                   Second.

8 CHAIRMAN LOISELLE:

9                   Dr. Joshi moves. Dr. Robinson seconds.

10                   All in favor, say aye. Any opposed?

11 [The motion carried. Mr. Mitchell recused himself  
12 from deliberations and voting on the motion. The  
13 Respondent's name is Laura Elizabeth Diana, M.D.]

14                                           \*\*\*

15 MR. KOVACH:

16                   The next matter on the agenda is No. 5.

17                   It's Case No. 17-49-12570.

18                   Based on the Board's discussions in  
19 executive session, I believe the Board  
20 Chair would accept a motion approving  
21 that Consent Agreement.

22 CHAIRMAN LOISELLE:

23                   Do I have a motion to approve?

24 MR. MITCHELL:

25                   So moved.

1 DR. JOSHI:

2 Second.

3 CHAIRMAN LOISELLE:

4 Mr. Mitchell moves. Dr. Joshi seconds.

5 All in favor, say aye. Any opposed?

6 [The motion carried unanimously. The Respondent's  
7 name is Maury N. Blitman, M.D.]

8 \*\*\*

9 MR. KOVACH:

10 The next matter is No. 6. It's VRP Case  
11 No. 19-49-000044.

12 Based on the Board's discussions in  
13 executive session, I believe the Board  
14 Chair would accept a motion approving  
15 that Consent Agreement.

16 CHAIRMAN LOISELLE:

17 Do I have a motion to approve?

18 DR. ROBINSON:

19 So moved.

20 DR. MORAN:

21 Second.

22 CHAIRMAN LOISELLE:

23 Dr. Robinson moves. Dr. Moran seconds.

24 All in favor, say aye. Any opposed?

25 [The motion carried unanimously.]

1 \*\*\*

2 MR. KOVACH:

3 The next three we can take as a group.  
4 No. 7 at Case No. 16-49-11406, No. 8 at  
5 Case No. 18-49-009455, and No. 9 at Case  
6 No. 14-49-10659 and Case No. 16-49-  
7 03969.

8 Based on the Board's discussions in  
9 executive session, I believe the Board  
10 Chair would accept a motion approving  
11 those three Consent Agreements.

12 CHAIRMAN LOISELLE:

13 Do I have a motion to approve those?

14 DR. JOSHI:

15 So moved.

16 DR. MORAN:

17 Second.

18 CHAIRMAN LOISELLE:

19 Dr. Joshi moves. Dr. Moran seconds.

20 All in favor, say aye. Any opposed?

21 [The motion carried unanimously. Item No. 7 at 16-49-  
22 11406 involved Ati Babar Malik, M.D.; No.8 at Case No.  
23 18-49-009455 involved Alberto M. Cabantog, M.D.; and  
24 Case No. 14-49-10659 and Case No. 16-49-03969 involved  
25 Sarah Laser Center, Inc., and Angie Sung Park.]

1 \*\*\*

2 ACTING VICE CHAIR MITCHELL ASSUMED THE CHAIR

3 \*\*\*

4 MR. KOVACH:

5 Number 10 on the agenda at Case No. 17-  
6 49-13003 involved a probable cause  
7 matter for which Mr. Loiselles recused  
8 himself and did not participate in  
9 executive session and will not be  
10 voting.

11 Based on the Board's discussions in  
12 executive session, I believe the Acting  
13 Vice Chair would accept a motion  
14 approving that Consent Agreement.

15 ACTING VICE CHAIR:

16 Do I have a motion to approve the  
17 Consent Agreement?

18 DR. ROBINSON:

19 So moved.

20 DR. MORAN:

21 Second.

22 ACTING VICE CHAIR:

23 Dr. Robinson moves. Dr. Moran seconds.  
24 All those in favor? Those opposed?

25 [The motion carried. Mr. Loiselles recused himself

1 from deliberations and voting on the motion. The  
2 Respondent's name is Paul Douglas Orange, M.D.]

3 \*\*\*

4 CHAIRMAN LOISELLE RESUMED THE CHAIR

5 \*\*\*

6 MR. KOVACH:

7 Number 21 at Case No. 18-49-01842 is the  
8 Commonwealth of Pennsylvania Bureau of  
9 Professional and Occupational Affairs  
10 versus Jessica L. Carroll, PA-C. This  
11 matter involved probable cause member  
12 Mr. Mitchell, who did not participate in  
13 executive session and will not be  
14 voting.

15 Based on the Board's discussions in  
16 executive session, I believe the Board  
17 Chair would accept a motion approving  
18 that report from the hearing examiner.

19 CHAIRMAN LOISELLE:

20 Do I have a motion to approve?

21 DR. JOSHI:

22 So moved.

23 CHAIRMAN LOISELLE:

24 Do I have a second?

25 DR. WOODLAND:

1 Second.

2 CHAIRMAN LOISELLE:

3 Dr. Joshi moves. Dr. Woodland seconds.

4 All in favor, say aye. Any opposed?

5 [The motion carried unanimously. Mr. Mitchell recused  
6 himself from deliberations and voting on the motion.]

7 \*\*\*

8 MR. KOVACH:

9 The next matter is No. 22 on the agenda.  
10 It's a final adjudication for the Board  
11 to approve. It's the Commonwealth of  
12 Pennsylvania Bureau of Professional and  
13 Occupational Affairs versus Jazmine A.  
14 Cole, PA-C at Case No. 15-49-10519.

15 Based on the Board's discussions in  
16 executive session, I believe the Board  
17 Chair would accept a motion adopting  
18 that Adjudication.

19 CHAIRMAN LOISELLE:

20 Do I have a motion to adopt?

21 MR. MITCHELL:

22 So moved.

23 DR. ROBINSON:

24 Second.

25 CHAIRMAN LOISELLE:

1 Dr. Mitchell moves. Dr. Robinson  
2 seconds. All in favor, say aye. Any  
3 opposed?

4 [The motion carried unanimously.]

5 \*\*\*

6 MR. KOVACH:

7 Number 23 on the agenda is the  
8 Commonwealth of Pennsylvania Bureau of  
9 Professional and Occupational Affairs  
10 versus Tulani Ain Johnson, PA-C at Case  
11 No. 14-49-03816.

12 Based on the Board's discussions in  
13 executive session, I believe the Board  
14 Chair would accept a motion to adopt as  
15 final the Adjudication and Order in that  
16 matter.

17 CHAIRMAN LOISELLE:

18 Do I have a motion to adopt?

19 DR. WOODLAND:

20 So moved.

21 DR. MORAN:

22 Second.

23 CHAIRMAN LOISELLE:

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



1 [The motion carried unanimously.]

2 \*\*\*

3 MR. KOVACH:

4 The next matter is No. 24 on the agenda.  
5 It's the Commonwealth of Pennsylvania  
6 Bureau of Professional and Occupational  
7 Affairs versus Matthew M. Minarik, PA-C  
8 at Case No. 17-49-14267.

9 Based on the Board's discussions in  
10 executive session, I believe the Board  
11 Chair would accept a motion to adopt as  
12 final the Adjudication and Order.

13 CHAIRMAN LOISELLE:

14 Do I have a motion to adopt?

15 MR. MITCHELL:

16 So moved.

17 DR. JOSHI:

18 Second.

19 CHAIRMAN LOISELLE:

20 Mr. Mitchell moves. Dr. Joshi seconds.

21 All in favor, say aye. Any opposed?

22 [The motion carried unanimously.]

23 \*\*\*

24 MR. KOVACH:

25 The next matter is No. 25 on the agenda.

1 It's the Commonwealth of Pennsylvania  
2 Bureau of Professional and Occupational  
3 Affairs versus Amy M. Moss, PA-C at Case  
4 No. 18-49-00668.

5 Based on the Board's discussions in  
6 executive session, I believe the Board  
7 Chair would accept a motion to adopt as  
8 final the Adjudication and Order in that  
9 matter.

10 CHAIRMAN LOISELLE:

11 Do I have a motion to adopt?

12 DR. MORAN:

13 So moved.

14 DR. ROBINSON:

15 Second.

16 CHAIRMAN LOISELLE:

17 Dr. Moran moves. Dr. Robinson seconds.

18 All in favor, say aye. Any opposed?

19 [The motion carried unanimously.]

20 \*\*\*

21 MR. KOVACH:

22 The next matter is the Commonwealth of  
23 Pennsylvania Bureau of Professional and  
24 Occupational Affairs versus Samuel  
25 Adekiya Adesoba, M.D. at Case No. 15-49-

1                   07561. It was a Request for  
2                   Reconsideration.

3                   Based on the Board's discussions in  
4                   executive session, I believe the Board  
5                   Chair would accept a motion denying the  
6                   Request for Reconsideration.

7 CHAIRMAN LOISELLE:

8                   Do I have a motion to deny?

9 MR. MITCHELL:

10                   So moved.

11 DR. JOSHI:

12                   Second.

13 CHAIRMAN LOISELLE:

14                   Mr. Mitchell moves. Dr. Joshi seconds.  
15                   All in favor of denial, say aye. Any  
16                   opposed?

17 [The motion carried unanimously.]

18                                           \*\*\*

19 MR. KOVACH:

20                   We can take the next three as a group.  
21                   It's No. 27, the Initial Unrestricted  
22                   License filed by Stephen Mark Cohen,  
23                   M.D.; No. 28, the Application for  
24                   Initial Unrestricted License filed by  
25                   Seth Dinowitz, M.D.; and No. 29, the

1 Initial Unrestricted License Application  
2 filed by Jacqueline Elizabeth McLatchy,  
3 M.D.

4 Based on the Board's discussions in  
5 executive session, I believe the Board  
6 Chair would accept a motion granting  
7 those three licenses.

8 CHAIRMAN LOISELLE:

9 Do I have a motion to approve those  
10 three licenses?

11 DR. MORAN:

12 So moved.

13 MR. MITCHELL:

14 Second.

15 CHAIRMAN LOISELLE:

16 Dr. Moran moves. Mr. Mitchell seconds.

17 All in favor, say aye. Any opposed?

18 [The motion carried unanimously.]

19 \*\*\*

20 MR. KOVACH:

21 Number 30 on the agenda is the Initial  
22 Application for a Behavior Specialist  
23 filed by Kristen Nicole Verina.

24 Based on the Board's discussions in  
25 executive session, I believe the Board

1                   Chair would accept a motion approving  
2                   that application.

3 CHAIRMAN LOISELLE:

4                   Do I have a motion to approve?

5 DR. MORAN:

6                   So moved.

7 MR. MITCHELL:

8                   Second.

9 CHAIRMAN LOISELLE:

10                   Dr. Moran moves. Mr. Mitchell seconds.

11                   All in favor, say aye. Any opposed?

12 [The motion carried unanimously.]

13                                           \*\*\*

14 MR. KOVACH:

15                   The next matter is No. 31. It is the  
16                   Initial Application for a Written  
17                   Agreement for Supervising Physician  
18                   between Kevin L. Auerbach, M.D. and  
19                   Mario Leonard Polito, PA-C.

20                                           Based on the Board's discussions in  
21                   executive session, I believe the Board  
22                   Chair would accept a motion approving  
23                   that application.

24 CHAIRMAN LOISELLE:

25                   Do I have a motion to approve?

1 DR. MORAN:

2 So moved.

3 DR. JOSHI:

4 Second.

5 CHAIRMAN LOISELLE:

6 Dr. Moran moves. Dr. Joshi seconds.

7 All in favor, say aye. Any opposed?

8 [The motion carried unanimously.]

9

\*\*\*

10 MR. KOVACH:

11 The next matter is No. 32. It's the  
12 Reactivation Application for an  
13 Unrestricted License filed by Deborah  
14 Lynn Allen-Brown, M.D.

15 Based on the Board's discussions in  
16 executive session, I believe the Board  
17 Chair would accept a motion tabling that  
18 matter and directing the Board  
19 administrator to issue the standard  
20 reentry letter.

21 CHAIRMAN LOISELLE:

22 Do I have a motion to table?

23 MR. MITCHELL:

24 So moved.

25 DR. MORAN:

1                   Second.

2 CHAIRMAN LOISELLE:

3                   Mr. Mitchell moves. Dr. Moran seconds.

4                   All in favor, say aye. Any opposed?

5 [The motion carried unanimously.]

6                                           \*\*\*

7 MR. KOVACH:

8                   The next matter is No. 33 on the agenda.

9                   It's the Reactivation Application for an

10                  Active Retired License filed by Ahmed

11                  Kutty, M.D.

12                                       Based on the Board's discussions in

13                  executive session, I believe the Board

14                  Chair would accept a motion directing

15                  the Board administrator to issue the

16                  standard reentry letter and to table

17                  that matter while the letter is being

18                  issued.

19 CHAIRMAN LOISELLE:

20                                       Do I have a motion to table?

21 DR. ROBINSON:

22                                       So moved.

23 DR. WOODLAND:

24                                       Second.

25 CHAIRMAN LOISELLE:

1 Dr. Robinson moves. Dr. Woodland  
2 seconds. All in favor, say aye. Any  
3 opposed?

4 [The motion carried unanimously.]

5 \*\*\*

6 MR. KOVACH:

7 The final matter is the Reactivation  
8 Application for an Unrestricted License  
9 filed by Robert Charles Hunsicker, M.D.

10 Based on the Board's discussions in  
11 executive session, I believe the Chair  
12 would accept a motion tabling the  
13 application and directing the Board  
14 administrator to issue a discrepancy  
15 letter to obtain additional information  
16 directed by the Board.

17 CHAIRMAN LOISELLE:

18 Do I have a motion to table?

19 MR. MITCHELL:

20 So moved.

21 DR. MORAN:

22 Second.

23 CHAIRMAN LOISELLE:

24 Mr. Mitchell moves. Dr. Moran seconds.

25 All in favor, say aye. Any opposed?



1 [The motion carried unanimously.]

2 \*\*\*

3 Adjournment

4 [Chairman Loiselles concluded the regular meeting and  
5 noted the committee meeting after a brief lunch.]

6 \*\*\*

7 [There being no other business, the State Board of  
8 Medicine Meeting adjourned at 1:13 p.m.]

9 \*\*\*

10

11 CERTIFICATE

12

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

18

19

20



21

Amber Garbinski,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

25

STATE BOARD OF MEDICINE  
REFERENCE INDEX

March 12, 2019

	TIME	AGENDA
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2		
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4		
5		
6		
7		
8		
9	9:04	Official Call to Order
10		
11	9:05	Introduction of Board Members/Roll Call
12		
13	9:08	Approval of Minutes
14		
15	9:08	Report of Prosecution Division
16		
17	9:34	Report of Acting Commissioner
18		
19	9:36	For the Board's Information/Discussion
20		
21	9:56	Report of Department of Health
22		
23	10:13	Report of Committees
24		
25	10:26	Report of Board Counsel
26		
27	10:33	Report of Regulatory Counsel
28		
29	10:34	For the Board's Information and
30		Discussion (Continued)
31		
32	10:39	Executive Session
33	12:56	Return to Open Session
34		
35	12:56	For the Board's Information and
36		Discussion (Continued)
37		
38	1:00	Motions
39		
40	1:13	Adjournment
41		
42		
43		
44		
45		
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