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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: 9:00 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Tuesday, June 19, 2018

1 State Board of Medicine

2 June 19, 2018

3
4
5 BOARD MEMBERS:

6
7 Keith E. Loiselle, Public Member, Chairman
8 Ian J. Harlow, Commissioner of Professional and
9 Occupational Affairs - Absent
10 Charles A. Castle, M.D., Vice Chairman
11 Cary Cummings III, M.D. - Absent
12 Rachel Levine, M.D., Physician General - Absent
13 Joseph E. Losee, M.D.
14 John M. Mitchell, L.P., C.C.P. - Absent
15 Anna M. Moran, M.D. - Absent
16 Evon Sutton, Public Member
17 Paul J. Valigorsky II, M.D.
18 Loren Robinson, M.D., Deputy Secretary for Health
19 Promotion and Disease Prevention, PA Department of
20 Health
21

22
23 BUREAU PERSONNEL:

24
25 Peter D. Kovach, Esquire, Board Counsel
26 Wesley J. Rish, Esquire, Board Counsel
27 Anita P. Shekletski, Esquire, Board Prosecution
28 Liaison
29 Adam Williams, Esquire, Board Prosecutor
30 Keith E. Bashore, Esquire, Board Prosecutor
31 Amanda Wojciechowski, Esquire, Board Prosecutor
32 Andrea L. Costello, Esquire, Board Prosecutor
33 Jason Anderson, Esquire, Board Prosecutor
34 Adam Morris, Esquire, Board Prosecutor
35 Thomas Davis, Esquire, Bureau of Professional and
36 Occupational Affairs Counsel
37 Suzanne Zerbe, Board Administrator
38

39
40 ALSO PRESENT:

41
42 Tanya Miller, MS, LAT, ATC, Pennsylvania Athletic
43 Trainers' Society
44 Susan DeSantis, PA-C, Pennsylvania Society of
45 Physician Assistants
46 Randy Stevens, Pennsylvania Orthotic & Prosthetic
47 Society
48 Andrew Harvan, Pennsylvania Medical Society
49 Danielle Bland, Intern
50 Leslye Herrmann, Senior Associate Counsel, UPMC

State Board of Medicine
June 19, 2018

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ALSO PRESENT:

Philip David Orons, D.O., UPMC
Jackie Lynn Smith, MS, PA-C, UPMC
Ted Mowatt, Wanner Associates, Association of
Professional Acupuncture
Mary Marshall, Director, Workforce & Professional
Services, The Hospital and Healthsystem Association

1 ***

2 State Board of Medicine

3 June 19, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Medicine was held on Tuesday, June 19, 2018.
7 Keith E. Loiselle, Public Member, Chairman, called the
8 meeting to order at 9 a.m.

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

13 ***

14 Acknowledge Public - Turn Off Electronic Devices
15 [Chairman Loiselle requested the introduction of
16 audience and Board members in attendance and that all
17 electronic devices be turned off.]

18 ***

19 [Chairman Loiselle noted a lack of a quorum, but
20 additional members will be attending. He noted a
21 Board committee meeting following the Board meeting
22 and invited all to attend.]

23 ***

24 [Anita P. Shekletski, Esquire, Board Prosecution
25 Liaison, introduced Adam Williams, Esquire, Board

1 Prosecutor.]

2 ***

3 Report of Prosecution Division

4 [Keith E. Bashore, Esquire, Board Prosecutor presented
5 the Consent Agreements for File No. 14-49-03681 and
6 File No. 18-49-02344.]

7 ***

8 [Amanda N. Wojciechowski, Esquire, Board Prosecutor,
9 presented the Consent Agreement for File No. 17-49-
10 10645.]

11 ***

12 [Keith E. Loiselle, Public Member, Chairman, and
13 Charles A. Castle, M.D., Vice Chairman, exited the
14 meeting at 9:09 a.m. for recusal purposes.]

15 ***

16 [Amanda N. Wojciechowski, Esquire, Board Prosecutor,
17 presented the Consent Agreement for File No. 18-49-
18 02127.]

19 ***

20 [Keith E. Loiselle, Public Member, Chairman, and
21 Charles A. Castle, M.D., Vice Chairman, reentered the
22 meeting at 9:12 a.m.]

23 ***

24 [Andrea L. Costello, Esquire, Board Prosecutor,
25 presented a VRP Consent Agreement for File. No. 18-49-

1 004685.]

2

3 [Jason Anderson, Esquire, Board Prosecutor, presented
4 a Consent Agreement for File No. 16-49-03178 and 17-
5 49-11377.]

6

7 Report of Commissioner - No Report

8

9 Report of Department of Health - No Report

10

11 Report of Committee on Health-Related Professionals
12 [Charles A. Castle, M.D., Vice Chairman, reported on
13 the activities of the committee with regard to
14 drafting the regulations for naturopaths. Dr. Castle
15 noted a statement from the Governor's Office for a
16 proposal to modify the regulations for therapists and
17 orthotic fitters.

18

19 Mr. Kovach noted the Governor's proposal
20 regarding deregulating several licenses, including
21 orthotic fitters.]

21

22 Report of Committee on Legislation/Professional

23

Liability - No Report

24

25 Report of Committee on Continuous Professional

1 Development - No Report

2 ***

3 Report of Committee on Finance and Personnel - No
4 Report

5 ***

6 Report of Committee on Policy Development and
7 Review - No Report

8 ***

9 Report of Vice-Chairman

10 [Charles A. Castle, M.D., Vice Chairman, referred to
11 restructuring information from the Federation of State
12 Medical Boards related to the reentry into practice
13 for discussion in the committee meeting.]

14 ***

15 Report of Chairman

16 [Chairman Loiselle commented on the relaxation of
17 requirements for 13 different categories or licensees,
18 noting the pronounced movement to streamline that
19 process.]

20 Chairman Loiselle discussed the Board of
21 Medicine's recommendations regarding opioid
22 prescribing guidelines. He informed the Board that
23 Pennsylvania Senate Bill 655 was in the House.
24 Chairman Loiselle reviewed the Board's support of the
25 guidelines.]

1 ***

2 Report of Board Counsel

3 [Wesley J. Rish, Esquire, Board Counsel, noted matters
4 for discussion in Executive Session.]

5 ***

6 Report of Regulatory Counsel

7 [Peter D. Kovach, Esquire, Regulatory Counsel,
8 reported on no new developments over the last few
9 months due to the issues with committees.]

10 ***

11 Upcoming Meeting Dates

12 [Chairman Loiselles noted the 2018 and 2019 proposed
13 meeting dates.]

14 ***

15 Appointments - UPMC Presentation on Physician
16 Assistants Using Fluoroscopy

17 [Leslye Ash Herrmann, Senior Associate Counsel, UPMC,
18 introduced herself to the Board as a specialist in
19 physician and physician-related issues. She addressed
20 the Board regarding physician assistants (PAs) and
21 their abilities to perform procedures using
22 fluoroscopy in a hospital setting at UPMC. She
23 reviewed the supervision agreements with PAs approved
24 by the Board of Medicine in the early 2000s that
25 included the use fluoroscopy as a modality.]

1 Ms. Herrmann stated the hospitals rely on PAs
2 performing procedures using fluoroscopy and desired
3 their expertise placing a peripherally inserted
4 central catheter (PICC) line compared to a physician.

5 Ms. Herrmann introduced Dr. Philip Orons and
6 Physician Assistant, Jackie Smith, identified as
7 experts in fluoroscopic procedures.

8 Dr. Orons provided a summary of his professional
9 background, including the training of medical
10 personnel. He discussed the on-the-job training of
11 PAs. Dr. Orons described the scope of practice for
12 PAs as very extensive. PAs are prepared to be
13 surrogates for primary care physicians (PCPs) and work
14 within all fields of medicine following their
15 extensive training.

16 Dr. Orons reviewed the scope of radiology and the
17 performance of certain procedures by PAs under the
18 direct supervision of a physician. He reviewed the
19 training on the use of fluoroscopy by radiologists and
20 PAs. He stated core radiology privileges for UPMC did
21 not include fluoroscopy. He discussed the need to
22 take the exact examination of PAs.

23 Dr. Orons reviewed the standardized examination,
24 which requires a pass rate nationwide of 75 percent
25 and re-examination every two years to maintain

1 credentialing in fluoroscopy. He noted that PICC
2 lines can fail on the floor but do not fail with the
3 use of fluoroscopy, which directs the guidewire and
4 directs the catheter.

5 Dr. Orons noted the big push by the American
6 College of Radiology over the past ten years or more
7 to minimize the exposure to ionizing radiation.

8 Dr. Orons wanted to reassure the Board that PAs
9 are very well trained and supervised. He urged the
10 Board to consider to continue this practice as it has
11 been for close to two decades.

12 Jackie Lynn Smith, MS, PA-C, UPMC, also provided
13 a summary of her professional background. Ms. Smith
14 defined a physician assistant as someone who provides
15 any medical service as directed by the supervising
16 physician when the service is within the PA skills,
17 training, and experience.

18 Ms. Smith stated the scope of practice is very
19 all encompassing with the ability to go into different
20 fields. She noted that PAs are trained in general
21 medicine and receive hands-on training under direct
22 supervision of a physician. She discussed testing,
23 hands-on training, and experience in fluoroscopy that
24 allows the lowest fluoroscopy time for safety.

25 Dr. Orons added that PAs are held to the exact

1 same standards for root cause analysis as physicians.

2 Ms. Herrmann discussed PAs in Pennsylvania not
3 having to meet the same requirements as radiology
4 technicians. She reviewed the radiology technician
5 regulations.

6 Ms. Herrmann referred to information for the
7 Board's review including PA privileges, UPMC's Policy
8 and Procedure Manual, and the two-year refresher
9 course requirement. Ms. Herrmann also urged the Board
10 to allow PAs at UPMC in the hospital setting to
11 continue performing fluoroscopy under direct
12 supervision.

13 Dr. Orons discussed permitting fluoroscopy and
14 the utilization of ionizing radiation by PAs,
15 including CTs, with the exclusion of ultrasound and
16 magnetic resonance imaging (MRI).

17 Ms. Herrmann discussed the recent rejection of
18 applications with the same letter that was received in
19 2015 and 2016, citing that it was not within their
20 scope of practice and citing the law about radiation
21 technologists, which again does not apply in the
22 hospital setting. Ms. Herrmann questioned the reasons
23 for the rejection of supervision agreements.

24 Dr. Orons further explained the direct
25 supervision for PAs. Ms. Herrmann noted the legal

1 procedural side of the definition of direct level of
2 supervision.

3 Dr. Castle noted the Board's concern regarding
4 safety for the Commonwealth and their role to protect
5 the five percent of institutions that are not
6 following the rigorous standards.

7 Chairman Loiselle addressed the cases that were
8 denied, stating that the Board rejected instances when
9 the scope of practice did not match the experience or
10 the oversight or the training of the person in
11 question. There was continued discussion regarding
12 the rejection of applications.

13 Chairman Loiselle stated the Board will continue
14 to consider the correlation between the scope of
15 practice and the circumstances of the cases. He
16 stated a committee would be able to streamline that
17 process.

18

19 [Loren Robinson, M.D., Deputy Secretary for Health
20 Promotion and Disease Prevention, entered the meeting
21 at 10:09 a.m.]

22

23 [Mary Marshall, Director, Workforce & Professional
24 Services, The Hospital and Healthsystem Association,
25 suggested considering a statement of policy for the

1 Board when reviewing applications using fluoroscopy,
2 which may help to streamline and provide clarity for
3 the Board.

4 Chairman Loiselle emphasized the importance of
5 the safety of Pennsylvania's citizenry.]

6

7 [The Board recessed from 10:19 a.m. until 10:30 a.m.]

8

9 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
10 10:30 a.m. the Board entered into Executive Session
11 with Peter D. Kovach, Esquire, Board Counsel, and
12 Wesley J. Rish, Esquire, Board Counsel, for the
13 purpose of conducting quasi-judicial deliberations and
14 to receive legal advice from Board Counsel. The Board
15 returned to open session at 12:45 p.m.]

16

17 Approval of Minutes of the May 15, 2018 meeting

18 CHAIRMAN LOISELLE:

19 I'm going to ask for a motion to approve
20 the minutes from the last meeting. Do I
21 have a motion to approve?

22 DR. CASTLE:

23 So moved.

24 CHAIRMAN LOISELLE:

25 Dr. Castle moves. Second, please.

1 DR. ROBINSON:

2 Second.

3 CHAIRMAN LOISELLE:

4 Dr. Robinson seconds. All in favor?

5 Any opposed?

6 [The motion carried unanimously.]

7 ***

8 MOTIONS

9 MR. RISH:

10 The State Board of Medicine held an
11 Executive Session to conduct
12 quasi-judicial deliberations and to
13 receive legal advice from Counsel
14 regarding the following matters:

15 The first matter was Item No. 2 on
16 the Board's agenda. It is File No. 14-
17 49-03681.

18 Based upon discussions in Executive
19 Session, I understand the Board would
20 entertain a motion approving the Consent
21 Agreement and Order.

22 DR. CASTLE:

23 So moved.

24 DR. ROBINSON:

25 Second.

1 CHAIRMAN LOISELLE:

2 Dr. Castle moves. Dr. Robinson seconds.

3 All in favor? Any opposed?

4 [The motion carried unanimously. The Respondent's
5 name is Surender Gorukanti, M.D.]

6 ***

7 MR. RISH:

8 The next item is No. 3 on the agenda.

9 It's File No. 18-49-02344.

10 Based upon discussions in Executive
11 Session, I believe the Chair would
12 entertain a motion to approve the
13 Consent Agreement in that matter.

14 DR. LOSEE:

15 So moved.

16 DR. CASTLE:

17 Second.

18 CHAIRMAN LOISELLE:

19 Dr. Losee moves. Dr. Castle seconds.

20 All in favor? Any opposed?

21 [The motion carried unanimously. The Respondent's
22 name is William L. Manion, M.D.]

23 ***

24 MR. RISH:

25 The next item is Item No. 4 on the

1 Board's agenda. It's File No. 17-49-
2 10645.

3 Based upon discussions in Executive
4 Session, I understand the Board would
5 entertain a motion approving the Consent
6 Agreement and Order.

7 DR. LOSEE:

8 So moved.

9 DR. ROBINSON:

10 Second.

11 CHAIRMAN LOISELLE:

12 Dr. Losee moves. Dr. Robinson seconds.
13 All in favor? Any opposed?

14 [The motion carried unanimously. The Respondent's
15 name is Mario Angelo Criscito, M.D.]

16 ***

17 MR. RISH:

18 The next matter was Item No. 5 on the
19 Board's agenda. It's File No. 18-49-
20 02127. This was a Probable Cause
21 Screening Committee matter, and
22 Dr. Castle and Mr. Loiselles did not
23 participate in the Executive Session
24 discussions and have recused themselves.

25 My understanding is, based on

1 discussions in Executive Session, the
2 Board would entertain a motion approving
3 the Consent Agreement and Order. Is
4 there a motion to approve?

5 DR. LOSEE:

6 So moved.

7 DR. ROBINSON:

8 Second.

9 MR. RISH:

10 Dr. Losee moves. Dr. Robinson seconds.
11 All in favor? Anyone opposed?

12 [The motion carried. The Respondent's name is Timothy
13 Adam Drabick. Dr. Castle and Mr. Loiselles recused
14 themselves from deliberation and voting on the
15 matter.]

16 ***

17 MR. RISH:

18 The next matter was Item No. 6 on the
19 Board's agenda. It's VRP File No. 18-
20 49-004685.

21 Based upon discussions in Executive
22 Session, I understand the Board would
23 entertain a motion approving the Consent
24 Agreement and Order.

25 CHAIRMAN LOISELLE:

1 Do we have a motion?

2 DR. CASTLE:

3 So moved.

4 DR. LOSEE:

5 Second.

6 CHAIRMAN LOISELLE:

7 Dr. Castle moves. Dr. Losee seconds.

8 All in favor? Any opposed?

9 [The motion carried unanimously.]

10 ***

11 MR. RISH:

12 The next matter was Item No. 7. It is
13 File No. 16-49-03178 and File No. 17-49-
14 11377.

15 Based upon discussions in Executive
16 Session, I understand the Board would
17 entertain a motion approving the Consent
18 Agreement and Order.

19 MS. SUTTON:

20 So moved.

21 CHAIRMAN LOISELLE:

22 Evon moves.

23 DR. LOSEE:

24 Second.

25 CHAIRMAN LOISELLE:

1 Dr. Losee seconds. All in favor? Any
2 opposed?

3 [The motion carried unanimously. The Respondent's
4 name is Shawn David Chesley.]

5 ***

6 MR. RISH:

7 The next matter is No. 11 on the agenda.
8 It's the Commonwealth of Pennsylvania
9 vs. Nalini Mehta, M.D., File No. 15-49-
10 12087.

11 Based upon discussions in Executive
12 Session, I believe the Chair would
13 entertain a motion to approve as final
14 the proposed Adjudication and Order in
15 that matter.

16 DR. CASTLE:

17 So moved.

18 DR. LOSEE:

19 Second.

20 CHAIRMAN LOISELLE:

21 Dr. Castle moves. Dr. Losee seconds.

22 All in favor? Any opposed?

23 [The motion carried unanimously.]

24 ***

25 MR. KOVACH:

1 The next matter is No. 12 on the agenda.
2 It's the matter of the Application for
3 Licensure to Practice Medicine and
4 Surgery of Ihsan Fahmi Shanti, M.D.,
5 File No. 17-49-07058.

6 Based up the Board's discussions in
7 Executive Session, I believe the Board
8 Chair would entertain a motion to adopt
9 as final the proposed Adjudication and
10 Order in that matter.

11 CHAIRMAN LOISELLE:

12 Do we have a motion?

13 DR. LOSEE:

14 So moved.

15 MS. SUTTON:

16 Second.

17 CHAIRMAN LOISELLE:

18 Dr. Losee moves. Ms. Sutton seconds.

19 All in favor? Any opposed?

20 [The motion carried unanimously.]

21 ***

22 MR. RISH:

23 The next matter is Item No. 13 on the
24 Board's agenda. It's File No. 13-49-
25 12151. It's the Commonwealth vs. Bonnie

1 L. Chen, M.D.

2 Based up discussions in Executive
3 Session, I understand the Board would
4 entertain a motion adopting the Hearing
5 Examiner's Adjudication and Order as the
6 final order of the Board.

7 CHAIRMAN LOISELLE:

8 Do we have a motion?

9 MS. SUTTON:

10 So moved.

11 DR. LOSEE:

12 Second.

13 CHAIRMAN LOISELLE:

14 Ms. Sutton moves. Dr. Losee seconds.

15 All in favor, say aye? Any opposed?

16 [The motion carried unanimously.]

17 ***

18 MR. RISH:

19 The next matter is Item No. 14. It's
20 File No. 16-49-01772. It's the
21 Commonwealth vs. Robert J. Gorrell Jr.,
22 M.D.

23 Based upon discussions in Executive
24 Session, I understand the Board would
25 entertain a motion adopting the Hearing

1 Examiner's Adjudication and Order as the
2 final order of the Board.

3 CHAIRMAN LOISELLE:

4 Do we hear a motion?

5 DR. ROBINSON:

6 So moved.

7 DR. LOSEE:

8 Second.

9 CHAIRMAN LOISELLE:

10 Dr. Robinson moves. Dr. Losee seconds.

11 All in favor, say aye? Any opposed?

12 [The motion carried unanimously.]

13 ***

14 MR. RISH:

15 The next matter is Item No. 15 on the
16 Board's agenda. It's File No. 14-49-
17 03748.

18 Based upon discussions in Executive
19 Session, I understand the Board would
20 entertain a motion adopting the Hearing
21 Examiner's Adjudication and Order as the
22 final order of the Board.

23 CHAIRMAN LOISELLE:

24 Do we have a motion?

25 MS. SUTTON:

1 So moved.

2 DR. CASTLE:

3 Second.

4 CHAIRMAN LOISELLE:

5 Ms. Sutton moves. Dr. Castle seconds.

6 All in favor, say aye? Any opposed?

7 [The motion carried unanimously.]

8 ***

9 MR. RISH:

10 The next matter is Item No. 16. It's
11 File No. 15-49-04538. It's the matter
12 of a Petition for Reinstatement of a
13 License to Practice Medicine and Surgery
14 of Roger K. Hershline, M.D.

15 Based upon discussions in Executive
16 Session, I understand the Board would
17 entertain a motion approving the final
18 Adjudication and Order.

19 DR. LOSEE:

20 So moved.

21 DR. CASTLE:

22 Second.

23 CHAIRMAN LOISELLE:

24 Dr. Losee moves. Dr. Castle seconds.

25 All in favor, say aye? Any opposed?

1 [The motion carried unanimously.]

2 ***

3 MR. RISH:

4 The next matter is Item No. 17. It's
5 File No. 17-49-09656. It's the matter
6 of a Petition for the Reinstatement of
7 George Yusef Chalhoub, M.D.

8 Based upon discussions in Executive
9 Session, I understand that the Board
10 would entertain a motion approving the
11 final order.

12 DR. CASTLE:

13 So moved.

14 DR. LOSEE:

15 Second.

16 CHAIRMAN LOISELLE:

17 Dr. Castle moves. Dr. Losee seconds.

18 All in favor, say aye? Any opposed?

19 [The motion carried unanimously.]

20 ***

21 MR. RISH:

22 With respect to the next two matters,
23 Item No. 18, which is File No. 17-49-
24 11893, the Commonwealth vs. Ted R.
25 Evans, L.R.T., and Item No. 19, File No.

1 17-49-12171, the Commonwealth vs. Ashley
2 G. Ponterio, L.R.T., the Board lacked a
3 quorum because of the recusal and two
4 probable cause matters. Those two
5 matters will be tabled for a future
6 Board meeting.

7 ***

8 MR. KOVACH:

9 The next matter on the agenda is No. 20.
10 It's the Initial Temporary Physician and
11 Surgeon License by Douglas Ross, M.D.

12 Based upon discussions in Executive
13 Session, I believe the Board Chair would
14 entertain a motion approving that
15 application.

16 DR. CASTLE:

17 So moved.

18 DR. LOSEE:

19 Second.

20 CHAIRMAN LOISELLE:

21 Dr. Castle moves. Dr. Losee seconds.

22 All in favor, say aye? Any opposed?

23 [The motion carried unanimously.]

24 ***

25 MR. RISH:

1 The next matter is Item No. 21, the
2 Initial Institutional License
3 Application of Vijay Krishnan, M.D.

4 Based upon discussions in Executive
5 Session, I understand the Board would
6 entertain a motion approving that
7 application.

8 DR. CASTLE:

9 So moved.

10 DR. ROBINSON:

11 Second.

12 CHAIRMAN LOISELLE:

13 Dr. Castle moves. Dr. Robinson seconds.
14 All in favor, say aye? Any opposed?

15 [The motion carried unanimously.]

16 ***

17 MR. KOVACH:

18 The next matter is No. 22 on the agenda.
19 It's the Initial Unrestricted License
20 Application filed by Walid Saado, M.D.

21 Based on the Board's discussions in
22 Executive Session, I believe the Board
23 Chair would entertain a motion
24 provisionally denying that application.

25 DR. LOSEE:

1 So moved.

2 MS. SUTTON:

3 Second.

4 CHAIRMAN LOISELLE:

5 Dr. Losee moves. Ms. Sutton seconds.

6 All in favor, say aye? Any opposed?

7 [The motion carried unanimously.]

8 ***

9 MR. KOVACH:

10 The next matter is No. 23 on the agenda,
11 the Initial Unrestricted License
12 Application of Ira Michaelson, M.D.;
13 Item No. 24, the Initial Unrestricted
14 License Application of Denise Carol
15 Semashko, M.D.; and Item No. 26 on the
16 agenda, the Initial Unrestricted License
17 Application of David Marc Epstein, M.D.

18 Based on the Board's discussions in
19 Executive Session, I believe the Board
20 Chair would entertain a motion approving
21 those applications.

22 CHAIRMAN LOISELLE:

23 Do we have a motion?

24 DR. VALIGORSKY:

25 So moved.

1 DR. LOSEE:

2 Second.

3 CHAIRMAN LOISELLE:

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

7 [The motion carried unanimously.]

8 ***

9 MR. RISH:

10 The next matter is Item No. 25 on the
11 Board's agenda. It's the Application
12 for an Initial Unrestricted License of
13 Nathaniel Laden, M.D.

14 Based upon discussions in Executive
15 Session, I understand the Board would
16 entertain a motion approving the
17 application.

18 CHAIRMAN LOISELLE:

19 Do we have a motion?

20 DR. CASTLE:

21 So moved.

22 DR. LOSEE:

23 Second.

24 CHAIRMAN LOISELLE:

25 Dr. Castle moves. Dr. Losee seconds.

1 All in favor, say aye? Any opposed?

2 [The motion carried. Ms. Sutton opposed the motion.]

3 ***

4 MR. KOVACH:

5 The next matter on the agenda is No. 27.
6 It's the Initial Prosthetist and
7 Orthotist by Endorsement Application of
8 Abiodun Sobowale, M.D.

9 Based on the Board's discussions in
10 Executive Session, I believe the Board
11 Chair would entertain a motion approving
12 that application.

13 CHAIRMAN LOISELLE:

14 Do we have a motion?

15 DR. LOSEE:

16 So moved.

17 DR. VALIGORSKY:

18 Second.

19 CHAIRMAN LOISELLE:

20 Dr. Losee moves. Dr. Valigorsky
21 seconds. All in favor, say aye? Any
22 opposed?

23 [The motion carried unanimously.]

24 ***

25 MR. RISH:

1 The next matter is an Application for an
2 Unrestricted License by Endorsement of
3 Azza Elgendy, M.D.

4 Based upon discussions in Executive
5 Session, I understand the Board would
6 entertain a motion approving that
7 application.

8 MS. SUTTON:

9 So moved.

10 DR. VALIGORSKY:

11 Second.

12 CHAIRMAN LOISELLE:

13 Ms. Sutton moves. Dr. Valigorsky
14 seconds. All in favor, say aye? Any
15 opposed?

16 [The motion carried unanimously.]

17 ***

18 MR. RISH:

19 The next matter is Item No. 29. It's
20 the Reconsideration of the Written
21 Agreement Change Form Application of
22 John Crowley, M.D., and Cody Silay,
23 PA-C.

24 Based upon discussions in Executive
25 Session, I understand the Board would

1 entertain a motion approving the
2 application.

3 DR. ROBINSON:

4 So moved.

5 DR. LOSEE:

6 Second.

7 CHAIRMAN LOISELLE:

8 Dr. Robinson moves. Dr. Losee seconds.

9 All in favor, say aye? Any opposed?

10 [The motion carried unanimously.]

11 ***

12 MR. KOVACH:

13 The next matter on the agenda is No. 30.
14 It's the Initial Unrestricted License by
15 Endorsement Application of Karim
16 Mahmoud, M.D.

17 Based on the Board's discussions in
18 Executive Session, I believe the Board
19 Chair would entertain a motion tabling
20 that matter and directing the Board
21 Administrator to issue the standard
22 institutional letter.

23 CHAIRMAN LOISELLE:

24 Do we have a motion to table?

25 DR. LOSEE:

1 So moved.

2 DR. VALIGORSKY:

3 Second.

4 CHAIRMAN LOISELLE:

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

8 [The motion carried unanimously. The application is
9 tabled.]

10 ***

11 MR. RISH:

12 The next matter is Item No. 31. It's
13 the Reactivation Application of Vincent
14 M. Ferrara, RCP.

15 Based upon discussions in Executive
16 Session, I understand the Board would
17 entertain a motion approving the
18 application.

19 DR. VALIGORSKY:

20 So moved.

21 MS. SUTTON:

22 Second.

23 CHAIRMAN LOISELLE:

24 Dr. Valigorsky moves. Ms. Sutton
25 seconds. All in favor, say aye? Any

1 opposed?

2 [The motion carried unanimously.]

3 ***

4 MR. KOVACH:

5 The next matter on the agenda is No. 32.
6 It's the Reactivation Application of
7 Kimberly Anne Zappi, RCP.

8 Based on the Board's discussions in
9 Executive Session, I believe the Board
10 Chair would entertain a motion tabling
11 that matter and directing the Board
12 Administrator to inform the applicant to
13 complete the certification test.

14 DR. LOSEE:

15 So moved.

16 MS. SUTTON:

17 Second.

18 CHAIRMAN LOISELLE:

19 Dr. Losee moves. Ms. Sutton seconds.

20 All in favor, say aye? Any opposed?

21 [The motion carried unanimously. The application is
22 tabled.]

23 ***

24 MR. RISH:

25 The next matter is Item No. 33. It's

1 the Reactivation Application to Active
2 Retired status of Garret Adare
3 Fitzgerald, M.D.

4 Based upon discussions in Executive
5 Session, I understand the Board would
6 entertain a motion approving the
7 application.

8 DR. LOSEE:

9 So moved.

10 DR. VALIGORSKY:

11 Second.

12 CHAIRMAN LOISELLE:

13 Dr. Losee moves. Dr. Valigorsky
14 seconds. All in favor, say aye? Any
15 opposed?

16 [The motion carried unanimously.]

17 ***

18 MR. RISH:

19 The next matter is Item No. 34. It's
20 File No. 16-49-13233. It's in the
21 matter of the Application for License to
22 Practice Medicine and Surgery of Ivan
23 Dario Braque, M.D.

24 Based upon discussions in Executive
25 Session, I understand the Board would

1 entertain a motion approving the final
2 stipulated order.

3 CHAIRMAN LOISELLE:

4 Do we have a motion?

5 DR. VALIGORSKY:

6 So moved.

7 DR. LOSEE:

8 Second.

9 CHAIRMAN LOISELLE:

10 Dr. Valigorsky moves. Dr. Losee
11 seconds. All in favor, say aye? Any
12 opposed?

13 [The motion carried unanimously.]

14 ***

15 MR. RISH:

16 There was one other motion discussed,
17 and that was the Board's authorization
18 of the Probable Cause Screening
19 Committee to approve the Voluntary
20 Recovery Program Consent Agreements on
21 behalf of the Board prior to the Board's
22 next meeting for graduate medical
23 trainees. The purpose of this would be
24 to avoid delaying residents from getting
25 their residency.

1 Mr. Rish stated that the purpose of
2 this was to avoid delay in residencies.
3 There are still several residency
4 applications that are in the process of
5 being reviewed, that those applications,
6 if it is necessary for them to have a
7 VRP agreement, they would not be
8 approved prior to the start of their
9 residency because of the timing of the
10 next Board meeting. I guess, to
11 specify, this is the Board delegating
12 the authority to the Probable Cause
13 Screening Committee from today until the
14 next Board meeting in July 2018.

15 CHAIRMAN LOISELLE:

16 For right now, the motion we are looking
17 for is, one, to allow the Probable Cause
18 Screening Committee from now until the
19 next regularly scheduled Board meeting
20 to make recommendations regarding VRP
21 agreements. Do we have a motion for
22 that?

23 DR. ROBINSON:

24 So moved.

25 CHAIRMAN LOISELLE:

1 Dr. Robinson motions.

2 DR. VALIGORSKY:

3 Second.

4 CHAIRMAN LOISELLE:

5 Dr. Valigorsky seconds. All in favor?

6 Any opposed?

7 [The motion carried unanimously.]

8 ***

9 [Chairman Loiselles added this addressed Governor
10 Wolf's Executive Order to make recommendations to
11 streamline the process for those seeking licensure and
12 employment in Pennsylvania.]

13 ***

14 Public Session

15 [Susan DeSantis, PA-C, Board Administrator,
16 Pennsylvania Society of Physician Assistants, noted
17 delay concerns regarding the physician assistants'
18 approval process for initial licenses and written
19 agreements. Ms. DeSantis stated the average initial
20 license is a 60- to 90-day process and for the written
21 agreement it is 120 days.

22 Ms. DeSantis met with Katelin Lambert regarding
23 the changes in the Pennsylvania Licensing System
24 (PALS), commending the dashboard but noting the delay
25 for the upload of documents into the system. She also

1 noted the application checklist and requested
2 clarification regarding the background check.

3 Ms. DeSantis discussed concerns with the written
4 agreement as an online application. She noted ongoing
5 issues as discussed in December 2016. She continued
6 to reference issues with the PALS application process,
7 such as the login, payments, and physicians and PAs
8 completing the application versus the medical staff
9 office. She noted that the application also does not
10 include the written job description section or even
11 the supervision discussion area.

12 Ms. DeSantis also noted that the satellite
13 location application that used to be online as a paper
14 document has been removed and has been inserted into
15 the PALS application, which is another application
16 only licensees can access.

17 Ms. DeSantis also discussed the delay in
18 dissolving a written agreement within 15 days, which
19 usually takes months. She stated that a delegate
20 needs to be able to participate in that process as
21 well.

22 Mr. Rish clarified that the criminal background
23 check was ten years.

24 Tanya Miller, MS, LAT, ATC, Pennsylvania Athletic
25 Trainers' Society, questioned confusing language

1 regarding state background checks and the need for
2 information from multiple states and FBI where an
3 individual worked in the last ten years. Mr. Rish
4 clarified that information from the FBI and current
5 home state are only required.

6 Chairman Loiselle stated that the Board of
7 Medicine is an enforcement Board and does not have
8 input into the administrative aspects of licensure.
9 He stated Commissioner Harlow has been faced with a
10 pretty tough task with the implementation and
11 adjustments to PALS.

12 Ms. DeSantis addressed PAs resubmitting a written
13 agreement to the state for a substitute primary
14 supervising physician once their primary supervising
15 physician retires, is fired, contract is not renewed,
16 or dies. She also noted concerns with language
17 regarding the 15-day window of notification when a
18 relationship has dissolved and a second application is
19 needed.

20 Mr. Rish reviewed the regulatory requirements.
21 He explained that ordinarily the substitute supervisor
22 can step in when a primary physician is unavailable.
23 He noted that in the case of a death of a primary
24 supervisor or departure of a primary supervisor, there
25 is no longer a primary supervisor that is required for

1 every written agreement and is why the new written
2 agreement has to be approved by the Board.]

3 ***

4 Adjournment

5 CHAIRMAN LOISELLE:

6 The meeting is adjourned.

7 [There was no second to the motion.]

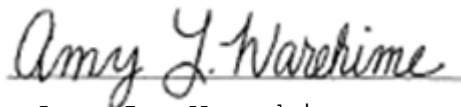
8 ***

9 [There being no other business, Chairman Loisel
10 adjourned the State Board of Medicine Meeting at
11 1:21 p.m.]

12 ***

13 CERTIFICATE

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

20
21 

22 Amy L. Warehime,

23 Minute Clerk

24 Sargent's Court Reporting

25 Service, Inc.

STATE BOARD OF MEDICINE
REFERENCE INDEX
June 19, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7	9:00	Official Call to Order
8		
9	9:02	Introduction of Audience and Board
10		Members
11		
12	9:04	Report of Prosecution Division
13		
14	9:19	Report of Committee
15		
16	9:21	Report of Board Chair
17		
18	9:24	Report of Board Counsel
19		
20	9:25	Report of Regulatory Counsel
21		
22	9:25	For the Board's Information/Discussion
23		
24	9:26	Appointment - UMPC Presentation on
25		Physician Assistants Using
26		Fluoroscopy
27		
28	10:19	Recess
29	10:30	Return to Open Session
30		
31	10:30	Executive Session
32	12:45	Return to Open Session
33		
34	12:45	Motions
35		
36	12:46	Approval of Minutes
37		
38	1:05	Public Session
39		
40	1:21	Adjournment
41		
42		
43		
44		
45		
46		
47		
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50		