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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.

TELECONFERENCE

Tuesday, April 14, 2020

1 ***

2 State Board of Medicine

3 April 14, 2020

4 ***

5 The regularly scheduled meeting of the State
6 Board of Medicine was held on Tuesday, April 14, 2020
7 via teleconference. Keith E. Loiselle, Chairman,
8 Public Member, called the meeting to order at 9:04
9 a.m.

10 K. Kalonji Johnson, Acting Commissioner, Bureau
11 of Professional and Occupational Affairs, was not
12 present at the commencement of the meeting.

13 ***

14 [Chairman Loiselle thanked everyone for their patience
15 and understanding during this crisis, including
16 Governor Wolf, Secretary of State Kathy Boockvar,
17 Secretary of Health Dr. Rachel Levine, Acting
18 Commissioner Kalonji Johnson, Board Administrator
19 Suzanne Zerbe, staff, and IT personnel for making this
20 meeting possible. It was noted that the agenda would
21 be a modified agenda.

22 Chairman Loiselle noted for the record, that even
23 though this meeting was being conducted via a
24 conference call, it would still carry with it the same
25 force and effect as if conducted under normal

1 conditions.]

2

3 Approval of minutes of the March 17, 2020 meeting

4 CHAIRMAN LOISELLE:

5

May I have a motion to approve the March

6

Minutes?

7

DR. WOODLAND:

8

So moved.

9

DR. VALIGORSKY:

10

Second.

11

CHAIRMAN LOISELLE:

12

Dr. Woodland moves, Dr. Valigorsky

13

seconds. All in favor say aye. Any

14

opposed?

15

[The motion carried unanimously.]

16

17

[K. Kalonji Johnson, Acting Commissioner, Bureau of

18

Professional and Occupational Affairs, entered the

19

meeting at 9:11 a.m.]

20

21

Roll Call

22

[Chairman Loiselles requested the roll call of Board

23

members and those in attendance.]

24

25

Report of Prosecutorial Division

1 [Adam Morris, Esquire, Board Prosecutor, presented a
2 Consent Agreement for Case No. 17-49-13414. Wesley
3 Rish, Esquire, Counsel for Respondent, also
4 participated in the discussion.]

5

6 [John M. Mitchell, LP, CCP, Vice Chairman, was
7 requested to mute his phone and exit the
8 teleconference for recusal purposes at 9:19 a.m.]

9

10 [Mr. Morris presented a VRP Consent Agreement for Case
11 No. 18-49-004459. Wesley Rish, Esquire, Counsel for
12 Respondent, also participated in the discussion.]

13

14 [John M. Mitchell, LP, CCP, Vice Chairman, re-entered
15 the teleconference at 9:23 a.m.]

16

17 [Keith E. Bashore, Esquire, Board Prosecutor,
18 presented Consent Agreements for Case No. 20-49-
19 002269, Case No. 19-49-017415 and Case No. 20-49-
20 002881. Wesley Rish, Esquire, Counsel for Respondent
21 for Case No. 20-49-002269, also participated in the
22 discussion.]

23

24 [Nathan Giunta, Esquire, Board Prosecutor, presented a
25 Consent Agreement for Case No. 19-49-017511.]

1 ***

2 Report of Acting Commissioner

3 [K. Kalonji Johnson, Acting Commissioner, Bureau of
4 Professional and Occupational Affairs, requested a
5 moment to reflect and appreciate all the work done by
6 the Board Administrator, program staff, and Board
7 Counsel who have been working above and beyond with
8 regard to handling the applications, correspondence,
9 and waivers.

10 He indicated a number of provisions were enacted
11 regarding the temporary practice for out-of-state
12 practitioners in conjunction with the Act 41 process.
13 He commended Ms. Zerbe for her remarkable job in
14 managing the number of reactivations during the past
15 four weeks.

16 Acting Commissioner Johnson urged the Board to
17 continue to support the Governor and Department of
18 Health as they continue to create more waivers. He
19 thanked the Board for its patience and level of
20 functionality during this time.

21 He commended Deputy Policy Director Mark Farrell,
22 one of the architects or designers of the
23 administrative and regulatory waivers, which allowed
24 Pennsylvania to bring licensed professionals to the
25 forefront.

1 Board Chair Loiselles also commended and thanked
2 Counsel and staff for keeping the backlog to an
3 absolute minimum to allow many practitioners available
4 and licensed appropriately to provide services. He
5 thanked Acting Commissioner Johnson for answering all
6 of the Board's questions.]

7

8 Report of Department of Health
9 [Mary Pat Howard, Executive Assistant of Quality
10 Assurance, on behalf of Rachel Levine, M.D., Physician
11 General/Secretary of Health, noted the recent report
12 of 24,199 positive cases of COVID-19 in Pennsylvania,
13 including 524 deaths. She referred members to the DOH
14 website, www.health.pa.gov, for reporting requirements
15 in effect as of April 13, 2020, including an inventory
16 of available equipment, and as well as providing
17 additional question and answer information. She
18 indicated there was also a live feed everyday at noon
19 by the Governor and Secretary of Health to provide
20 updates on the health crisis.

21 Ms. Howard stated telemetry was now approved for
22 all healthcare workers. There was discussion
23 regarding random testing for COVID-19.

24 Acting Commissioner Johnson commented, over the
25 past week, the Chair of the Veterinary Board reached

1 out to help the requisition of some types of
2 ventilation equipment. He stated there would be
3 discussion with the DOH regarding the use of E-scripts
4 and noted concerns by the Pharmacy Board regarding
5 that matter.]

6

7 Report of Committee on Health Related Professionals
8 [John M. Mitchell, L.P., C.C.P., Vice Chairman,
9 commended the work of Board Counsel during this
10 pandemic emergency.

11 Chairman Loiselle noted the Board appreciates
12 having a perfusionist on the Board at a time when the
13 profession is right at the front line. He expressed
14 appreciation to Mr. Mitchell for working with Board
15 Counsel and Acting Commissioner Johnson to make
16 certain perfusionists were available to perform
17 greater levels of tasks than they would otherwise be
18 charged with.]

19

20 Report of Committee on Legislation/Policy Development
21 and Review
22 [Keith E. Loiselle, Chairman, Public Member, noted he
23 would combine this report with his report as Board
24 Chair.]

25

1 Report of Committee on Licensure Qualifications

2 [Mark B. Woodland, M.D., thanked the DOH and Secretary
3 of Health Dr. Levine for an example of how to lead
4 during a crisis.

5 He thanked the Governor for recognizing the
6 victims of COVID-19 by ordering all flags at half
7 staff. Dr. Woodland thanked first responders,
8 midwives, and those who are working long hours and
9 putting themselves directly in the front lines during
10 this emergency.

11 There was discussion regarding maternal and
12 child health in Pennsylvania, including the future of
13 telehealth, protective equipment, vertical and
14 antibody transmission, and the way personal protective
15 equipment (PPE) has changed due to the crisis.

16 Ms. Howard mentioned a new method to clean the N-
17 95, which she noted Ohio had already implemented. Dr.
18 Woodland noted a reprocessing program for the N-95
19 mask was already in place and future masks were being
20 made with pouches for reusable filters that may change
21 the look of the mask.

22 As it concerns graduate medical education, Dr.
23 Woodland noted the largest match ever in the United
24 States with 5,048 programs offered, 34,256 positions,
25 up from 32,194 in 2019 and 30,232 positions in 2018.

1 Dr. Woodland noted this COVID crisis had derailed
2 medical education over the last two months and
3 probably through the end of the year. There was
4 further discussion regarding the matter.

5 There was further discussion on the process to
6 make N-95 masks reusable. Ms. Howard indicated that
7 most N-95 masks can be reused 20 times.]

8 ***

9 Report of Board Vice Chairman - No Report

10 ***

11 Report of Board Chair

12 [Keith E. Loiselle, Chairman, Public Member, noted
13 that there would be discussion during Executive
14 Session regarding the formation of a licensure
15 committee that could grant rapid approval of licensure
16 for all licensees under the Board's purview.

17 He noted waivers on the Department of Health's
18 website for early licensure approval for applicants
19 getting close to the end of their training periods.
20 Chairman Loiselle noted an expedited procedure was
21 also available for licensure by endorsement, as well
22 as a partial wavier for reactivation of retired
23 licensees. The requirement that a licensee cannot
24 practice at more than two facilities had also been
25 waived. He stated Pennsylvania adopted the national

1 standard with regard to telemedicine, which allows for
2 patient visits with or without video. It was noted
3 that all waivers are listed on the Department's
4 website.]

5

6 For the Board's Information-Discussion
7 Board Meeting Dates

8 [Chairman Loiselles referred Board members to the 2020
9 and 2021 Board meeting dates for review. He stated
10 the next meeting is scheduled for May 19, 2020.]

11

12 Public Comments - None

13

14 [Pursuant to Section 708(a)(5) of the Sunshine Act,
15 the Board entered into Executive Session at 10:20 a.m.
16 with Shana M. Walter, Esquire, Board Counsel, and Dana
17 M. Wucinski, Esquire, Board Counsel, for the purpose
18 of conducting quasi-judicial deliberations and to
19 receive legal advice from Board Counsel. The Board
20 returned to open session at 11:00 a.m.]

21

22 MOTIONS

23 MS. WALTER:

24

I believe the Board would entertain a

25

motion to approve the Consent Agreement

1 at Case No. 17-49-13414.

2 ACTING COMMISSIONER JOHNSON:

3 So moved.

4 MS. HOWARD:

5 Second.

6 CHAIRMAN LOISELLE:

7 All in favor, say aye. Any opposed?

8 [The motion carried. Dr. Woodland opposed the motion.

9 The Respondent's name is Joseph Martin Thomas, M.D.]

10 ***

11 MS. WALTER:

12 No. 3 on the agenda is a VRP Consent
13 Agreement for Case No. 18-49-004459. I
14 believe the Board would entertain a
15 motion to approve the agreement.

16 CHAIRMAN LOISELLE:

17 We have a motion to approve the VRP
18 Consent Agreement.

19 DR. WOODLAND:

20 Motion to approve.

21 DR. DOMEN:

22 Second.

23 CHAIRMAN LOISELLE:

24 Dr. Domen seconds. All in favor of
25 approving Item No. 3 say aye? Any

1 opposed?

2 [The motion carried. Mr. Mitchell recused from
3 deliberations and voting on the motion.]

4 ***

5 MS. WALTER:

6 I believe the Board would entertain a
7 motion to approve the Consent Agreements
8 for the following items: Case No. 20-49-
9 002269; Case No. 19-49-017415; Case No.
10 20-49-002881 and 19-49-017511.

11 ACTING COMMISSIONER JOHNSON:

12 So moved.

13 MR. MITCHELL:

14 Second.

15 CHAIRMAN LOISELLE:

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

19 [The motion carried unanimously. The Respondent's
20 name for Case No. 20-49-002269 is Thomas J. Raley,
21 M.D. The Respondent's name for Case No. 19-49-017415
22 is Olin Mackay Fox, M.D. The Respondent's name for
23 Case No. 20-49-002881 is Martin D. Fried, M.D. The
24 Respondent's name for Case No. 19-49-017511 is Aaron
25 Hasiuk, M.D.

1

2 MS. WALTER:

3

I believe the Board will entertain a

4

motion to adopt as final the Draft

5

Adjudication and Order for Case No. 19-

6

49-007313 for Daniel Raymond Nevarre,

7

M.D.

8 CHAIRMAN LOISELLE:

9

Do I have a motion to approve?

10 ACTING COMMISSIONER JOHNSON:

11

So moved.

12 MS. HOWARD:

13

Second.

14 CHAIRMAN LOISELLE:

15

All in favor say aye? Any opposed?

16 [The motion carried unanimously.]

17

18 MS. WUCINSKI:

19

At agenda Item 11, I believe the Board

20

has directed the Board Administrator to

21

send a standard letter offering an

22

institutional license for Noam Shoat,

23

M.D.

24

25 MS. WUCINSKI:

1 Moving on to agenda item 12, I believe
2 the Board will entertain a motion to
3 provisionally deny the initial
4 supervising physician agreement for Jason
5 Brajer, M.D. and Lisa Taxin, PA-C.

6 CHAIRMAN LOISELLE:

7 Do we have a motion to deny?

8 ACTING COMMISSIONER JOHNSON:

9 So moved.

10 DR. VALIGORSKY:

11 Second.

12 CHAIRMAN LOISELLE:

13 All in favor say aye? Any opposed?

14 [The motion carried unanimously.]

15 ***

16 MS. WUCINSKI:

17 I believe the Board would entertain a
18 motion to approve the application for a
19 license to practice as a physician and
20 surgeon by endorsement of Patrick
21 Chauvel, M.D.

22 CHAIRMAN LOISELLE:

23 Do I have a motion to approve?

24 ACTING COMMISSIONER JOHNSON:

25 So moved.

1 MS. HOWARD:

2 Second.

3 CHAIRMAN LOISELLE:

4 All in favor say aye? Any opposed?

5 [The motion carried unanimously.]

6 ***

7 MS. WUCINSKI:

8 I believe the Board will entertain a
9 motion to provisionally deny the
10 application to practice as a physician
11 and surgeon under Act 41 of Michael
12 Abdou, M.D.

13 CHAIRMAN LOISELLE:

14 Do we have a motion to provisionally
15 deny?

16 ACTING COMMISSIONER JOHNSON:

17 So moved.

18 DR. VALIGORSKY:

19 Second.

20 CHAIRMAN LOISELLE:

21 All in favor say aye? Any opposed?

22 [The motion carried unanimously.]

23 ***

24 MS. WUCINSKI:

25 I believe the Board will entertain a

1 motion to approve the reactivation
2 application to practice as a certified
3 midwife of Heather Clarke, CNM.

4 ACTING COMMISSIONER JOHNSON:

5 So moved.

6 MR. MITCHELL:

7 Second.

8 CHAIRMAN LOISELLE:

9 All in favor say aye? Any opposed?

10 [The motion carried unanimously.]

11 ***

12 MS. WUCINSKI:

13 I believe the Board will entertain a
14 motion to approve the request of Saroj
15 Kumar Parida, M.D. to reactivate his
16 license to practice medicine and surgery
17 to active status.

18 ACTING COMMISSIONER JOHNSON:

19 So moved.

20 DR. DOMEN:

21 I second.

22 CHAIRMAN LOISELLE:

23 All in favor say aye? Any opposed?

24 [The motion carried unanimously.]

25 ***

1 MS. WUCINSKI:

2 I believe the Board will entertain a
3 motion to approve the request of Michael
4 Balthalaser, PA-C to reactivate his
5 license to practice as a physician
6 assistant.

7 CHAIRMAN LOISELLE:

8 Do I have a motion to approve?

9 ACTING COMMISSIONER JOHNSON:

10 So moved.

11 MS. HOWARD:

12 I'll second.

13 CHAIRMAN LOISELLE:

14 All in favor say aye? Any opposed?

15 [The motion carried unanimously.]

16 ***

17 MR. MITCHELL ASSUMED THE CHAIR

18 ***

19 MS. WUCINSKI:

20 I believe the Board will entertain a
21 motion to provisionally deny the request
22 of Arnold Berkowitz, M.D. to lift the
23 automatic suspension of his license.

24 DR. VALIGORSKY:

25 So moved.

1 MS. HOWARD:

2 Second.

3 ACTING CHAIRMAN MITCHELL:

4 All in favor say aye? Any opposed?

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

7 ***

8 MR. LOISELLE RESUMED THE CHAIR

9 ***

10 MS. WUCINSKI:

11 I believe the Board will entertain a
12 motion to deny the request of Katie
13 Louise Hoeveler, M.D. to modify a Final
14 Order issued at Case No. 17-49-05037.

15 COMMISSIONER JOHNSON:

16 So moved.

17 MS. HOWARD:

18 Second

19 CHAIRMAN LOISELLE:

20 All in favor say aye? Any opposed?

21 [The motion carried unanimously.]

22 ***

23 Miscellaneous

24 [Chairman Loiselles noted an approval received from Dr.
25 Levine and Acting Commissioner Johnson to form a

1 separate committee to approve licensure when necessary
2 under the purview of Dr. Woodland.]

3 CHAIRMAN LOISELLE:

4 I'd like to make a motion to form a
5 separate licensure committee under Dr.
6 Woodland and ask that all members join.

7 ACTING COMMISSIONER JOHNSON:

8 So moved.

9 MS. HOWARD:

10 Second.

11 CHAIRMAN LOISELLE:

12 That committee is formed.

13 ***

14 [The next meeting is scheduled for May 19, 2020.]

15 ***

16 Adjournment

17 [There being no other business, the State Board of
18 Medicine Meeting adjourned at 11:15 a.m.]

19 ***

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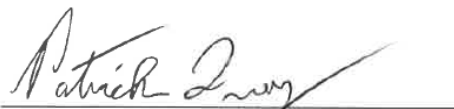
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CERTIFICATE

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.



Patrick Troy,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MEDICINE
TELECONFERENCE MEETING
REFERENCE INDEX
April 14, 2020

	TIME	AGENDA
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6		
7		
8	9:04	Official Call to Order
9		
10	9:04	Approval of Minutes
11		
12	9:07	Roll Call
13		
14	9:14	Report of Prosecutorial Division
15		
16	9:40	Report of Acting Commissioner
17		
18	9:46	Report of Department of Health
19		
20	9:57	Report of Committee on Health Related
21		Professionals
22		
23	9:59	Report of Committee on
24		Legislation/Policy Development and
25		Review
26		
27	10:00	Report of Committee on Licensure
28		Qualifications
29		
30	10:15	Report of Board Chairman
31		
32	10:18	For the Board's Information/Discussion
33		
34	10:20	Executive Session
35	11:00	Return to Open Session
36		
37	11:00	Motions
38		
39	11:12	Miscellaneous
40		
41	11:15	Adjournment
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