

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

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

Wednesday, September 5, 2018

State Board of Medicine
September 5, 2018

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

BOARD MEMBERS:

- Keith E. Loisel, Public Member, Chairman
- Katelin Lambert, Deputy Commissioner, on behalf of Ian J. Harlow, Commissioner of Professional and Occupational Affairs
- Charles A. Castle, M.D., Vice Chairman - Absent
- Loren Robinson, M.D., Deputy Secretary for Health Promotion and Disease Prevention, PA Department of Health
- Joseph E. Losee, M.D.
- John M. Mitchell, L.P., C.C.P.
- Anna M. Moran, M.D. - Absent
- Evon Sutton, Public Member - Absent
- Paul J. Valigorsky II, M.D.
- Rachel Levine, Secretary for Health Promotion and Disease Prevention, PA Department of Health

BUREAU PERSONNEL:

- Peter D. Kovach, Esquire, Board Counsel
- Wesley J. Rish, Esquire, Board Counsel
- Anita P. Shekletski, Esquire, Board Prosecution Liaison
- Tara J. Smith, Esquire, Board Prosecutor
- Keith E. Bashore, Esquire, Board Prosecutor
- Bridget Guilfoyle, Esquire, Board Prosecutor
- Amanda Wojciechowski, Esquire, Board Prosecutor
- Andrea L. Costello, Esquire, Board Prosecutor
- Mark Zogby, Esquire, Board Prosecutor
- Jason T. Anderson, Esquire, Board Prosecutor
- Adam Williams, Esquire, Board Prosecutor
- Erika Pfaff, Intern
- Suzanne Zerbe, Board Administrator

State Board of Medicine
September 5, 2018

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

ALSO PRESENT:

- Edwin "Sandy" Bush, Pennsylvania Athletic Trainers Society (PATS)
- Angie Armbrust, The Winter Group
- Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants
- Ray Raclan, Pennsylvania Association of Certified Professional Midwives
- Randy Stevens, Pennsylvania Orthotic & Prosthetic Society
- Kendra Parry, Physicians Health Program (PHP)
- Jon Shapiro, Physicians Health Program (PHP)
- Melissa Flemmer, Physicians Health Program (PHP)
- Ted Mowatt, Wanner Associates
- Mary Marshall, Director, Workforce & Professional Services, The Hospital and HealthSystem Association
- Stephanie Rovito, M.P.H., Director, Population Health
- Michael Ashburn, M.D., University of Pennsylvania

1 ***

2 State Board of Medicine

3 September 5, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Medicine was held on Tuesday, September 5,
7 2018. Keith E. Loiselle, Public Member, Chairman,
8 called the meeting to order at 9:00 a.m. Rachel
9 Levine, Secretary of Health, was not present at the
10 commencement of the meeting.

11 ***

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

16 ***

17 [Chairman Loiselle, Chairman, noted for the record
18 that Charles A. Castle, M.D., moved to North Carolina.
19 Chairman Loiselle thanked Dr. Castle for his service
20 to the Board for more than four years.]

21 ***

22 Approval of Minutes of the July 24, 2018 meeting

23 CHAIRMAN LOISELLE:

24 I would like a motion to approve the
25 minutes from the July 24, 2018 meeting.

1 MR. MITCHELL:

2 Motion.

3 DR. ROBINSON:

4 Second.

5 CHAIRMAN LOISELLE:

6 All those in favor? Any opposed? The
7 minutes are approved.

8 [The motion carried unanimously.]

9 ***

10 Report of Prosecution Division

11 [Anita P. Shekletski, Esquire, Board Prosecution
12 Liaison, on behalf of Adam Morris, Esquire, Board
13 Prosecutor, presented a Consent Agreement for File
14 Nos. 17-49-13228 and 18-49-03981.]

15 ***

16 [Anita P. Shekletski, Esquire, Board Prosecution
17 Liaison, presented a Consent Agreement for File No.
18 17-49-12623.]

19 ***

20 [Chairman Loiselles and Mr. Mitchell exited the meeting
21 at 9:06 a.m. for recusal purposes.]

22 ***

23 [Anita P. Shekletski, Esquire Board Prosecution
24 Liaison, presented a Consent Agreement for File No.
25 18-49-00596.]

1 ***

2 [Jason Anderson, Esquire, Board Prosecutor, presented
3 a Consent Agreement for File No. 18-49-02613.]

4 ***

5 [Mr. Mitchell re-entered the meeting at 9:09 a.m.]

6 ***

7 [Amanda N. Wojciechowski, Esquire, Board Prosecutor,
8 presented a Consent Agreement for File No. 17-49-
9 04664.]

10 ***

11 [Mark Zogby, Esquire, Board Prosecutor, presented a
12 Consent Agreement for File No. 17-49-10403.]

13 ***

14 [Chairman Loiselle re-entered the meeting at 9:14
15 a.m.]

16 ***

17 [The Consent Agreement for File No. 17-49-05742 that
18 was to be presented by Tara J. Smith, Esquire, Board
19 Prosecutor, was tabled.]

20 ***

21 [Keith E. Bashore, Esquire, Board Prosecutor presented
22 Consent Agreements for File No. 18-49-03859, File No.
23 18-49-006022, and File No. 18-49-005050.]

24 ***

25 [Bridget Guilfoyle, Esquire, Board Prosecutor,

1 presented Consent Agreements for File No. 14-49-12223
2 and File No. 18-49-02743.]

3 ***

4 [Rachel Levine, Physician General, Secretary of
5 Health; Stephanie Rovito, Director, Population Health;
6 Michael Ashburn, M.D., Pain Physician, University of
7 Pennsylvania, entered the meeting at 9:25 a.m.]

8 ***

9 [Andrea L. Costello, Esquire, Board Prosecutor,
10 presented a VRP Consent Agreement for File No. 18-49-
11 01207.]

12 ***

13 [Jason Anderson, Esquire, Board Prosecutor, presented
14 Consent Agreements for File No. 18-49-02742 and File
15 No. 18-49-02741.]

16 ***

17 Report of Commissioner

18 [Katelin Lambert, Deputy Commissioner, on behalf of
19 Ian J. Harlow, Commissioner of Professional and
20 Occupational Affairs, discussed the continuing work by
21 staff on the backlog, which she noted should be
22 cleared by the end of September. Ms. Lambert
23 indicated the setup for the Medical Board renewals was
24 progressing. She will provide further updates on the
25 progress in the future.

1 Deputy Commissioner Lambert stated 11 new
2 employees will soon be hired. She discussed the
3 option of a credentialing office or another employee
4 submitting an application on behalf of an applicant.
5 Ms. Lambert stated a short-term solution being fine-
6 tuned would add a delegate email address to the
7 application.

8 Ms. Lambert stated Commissioner Harlow and Acting
9 Secretary Torres held a telephone discussion with UPMC
10 and other large health networks with regard to
11 licensing.

12 Chairman Loiselle requested that Ms. Zerbe add
13 the Medical Board renewal process demonstration to the
14 next meeting agenda. Ms. Lambert will provide an
15 update at the next meeting as to the status of new
16 Board members.]

17 ***
18 Report of Department of Health
19 [Loren Robinson, M.D., Deputy Secretary for Health
20 Promotion and Disease Prevention, PA Department of
21 Health, stated the public health accreditation Board
22 visit will be held in October. She explained this
23 process allows for the Department to compete for
24 additional federal funds for public health programs.
25 The budget was submitted. She awaits discussion with

1 legislature with regard to funding for public health
2 programs. Last year was the first year funding was
3 received for Lyme Disease. Dr. Robinson anticipates
4 further education and programming regarding that
5 disease.

6 Dr. Robinson stated Secretary Levine will attend
7 the Annual ASTHO meeting in Alexandria, Virginia,
8 later in the month of September where the topic of
9 discussion will be opioids. She noted events
10 scheduled across the Commonwealth with regard to
11 National Recovery Month.

12 Dr. Robinson stated the Department received a
13 Federal grant from CDC to help combat the opioid
14 crisis. Names were being finalized for Pennsylvania's
15 first Maternal Mortality Review Committee, which its
16 first meeting will be held in October.]

17 ***
18 Report of Committee on Health-Related Professionals
19 [John M. Mitchell, L.P., C.C.P. had no formal report.
20 He noted the committee will soon be meeting with
21 naturopaths and will provide a report at the Board's
22 next meeting.]

23 ***
24 Appointment
25 Opioid Guidelines

1 [Rachel Levine, Pennsylvania Physician General,
2 Secretary of Health, thanked Dr. Robinson for taking
3 the Department of Health's seat on the Board as well
4 as providing a summary of current events at the
5 Department of Health. Dr. Levine; Stephanie Rovito,
6 Director, Population Health; and Dr. Michael Ashburn,
7 Director of the Pain Center, University of
8 Pennsylvania, presented to discuss four prescribing
9 guidelines.

10 Dr. Levine stated over 5,400 deaths in 2017 were
11 attributed to opioid overdoses, which prompted a
12 disaster declaration from the Governor and the
13 implementation of a command center protocol at the
14 Pennsylvania Emergency Management Association.

15 Dr. Levine referred to three pillars to consider:
16 Prevention, Rescue, and Treatment. With regard to
17 prevention, medical schools will be directed to
18 educate medical students on the opioid prescribing
19 guidelines. Additional efforts include the
20 implementation of a two-hour continuing opioid
21 education course for license renewal and a four-hour
22 course for a new license as well as a review of the
23 Prescription Drug Monitoring Program.

24 Rescue involves the medication Naloxone for first
25 responders. Dr. Levine noted the availability of \$5

1 million to fund Naloxone for all EMS, police, fire
2 departments, and first responders in the state.
3 Naloxone can also be obtained from a pharmacy based
4 upon her standing order as Secretary of Health.

5 Dr. Levine stated the third pillar speaks to
6 referrals for treatment as well as expanded treatment
7 available at 45 Centers of Excellence for patients
8 with Medicaid and 8 Pennsylvania Coordinated
9 Medication Assisted Treatment Programs (PAC-MATs).

10 Dr. Levine discussed the Warm Handoff Clinical
11 Pathway, a collaborative effort by the Department of
12 Health, Department of Drug and Alcohol Programs, and
13 the Pennsylvania Society for Emergency Physicians,
14 developed for use by emergency departments after an
15 overdose. She explained that a representative from
16 Drug and Alcohol will be sent to an emergency
17 department to help access treatment for individuals
18 after an overdose.

19 Dr. Levine outlined the four prescribing
20 guidelines, which included the safe prescribing of
21 opioids in pediatric and adolescent patients, the
22 revision of the Obstetrics and Gynecology Opioid
23 Prescribing Guideline, treatment of chronic non-cancer
24 pain, and safe prescribing for Workers' Compensation.
25 She acknowledged Ms. Rovito for her work in

1 coordinating these efforts by gathering a collection
2 of experts throughout the state in those fields, as
3 well as Dr. Ashburn for "putting pen to paper" and
4 revising the guidelines, which will eventually be
5 presented to the Medical Board for consideration.

6 Dr. Ashburn further discussed the four
7 prescribing guidelines, including development and
8 implementation of a process for regular review of the
9 guidelines as suggested by the Board. He noted
10 suggestions made by the Board to include authors in
11 the guidelines, and that the guidelines should
12 represent critical thinking and be in conformance with
13 CDC guidelines.

14 Dr. Ashburn provided a summary of his educational
15 and professional background. There was further
16 discussion related to the goals of the guidelines,
17 their differences, if any, and the prescription limits
18 of an opioid.

19 It was noted that the Board's guidelines will be
20 reviewed every two to three years and revised,
21 including the revision of the emergency department
22 guidelines, dental guidelines, a guideline for
23 patients dependent on opioids and a specific guideline
24 for patients with sickle cell disease.

25 Risks of opioid usage, abrupt discontinuation of

1 opioid use, and available nonopioid treatment options
2 were also discussed.

3 Chairman Loiselle suggested that the Board
4 discuss the guidelines during Executive Session and
5 then disclose this determination on the matter during
6 the public session.]

7 ***

8 [Dr. Levine exited the meeting at 10:06 a.m.]

9 ***

10 Appointment

11 Physicians Health Program (PHP)

12 [Dr. John Shapiro, Medical Director, Physicians Health
13 Programs (PHP) of Pennsylvania and Kendra Parry,
14 Program Director, PHP, presented to review PHP.

15 Ms. Parry introduced the staff of the PHP and
16 provided a summary of the mission of the PHP. She
17 stated the PHP exists to assist physicians and other
18 healthcare professionals, including physician
19 assistants, medical students, dentists, licensed
20 dental professionals and podiatrists, who are
21 suffering from substance abuse disorders, mental
22 health disorders, and behavioral concerns that impact
23 their ability to practice their chosen profession in a
24 safe way.

25 Dr. Shapiro provided a brief history of the PHP,

1 indicating that the program began in the '70s as a
2 peer assistance program and an established hotline
3 wherein physicians could be reported by peers.

4 Ms. Parry noted 155 referrals currently, that
5 2017 ended with 267 referrals, and commented that the
6 PHP was on pace to hit that number again.

7 Dr. Shapiro discussed the monitoring process,
8 including management, recommendation for treatment, an
9 abstinence-based treatment, and long-term monitoring
10 during which abstinence, compliance, and progress is
11 documented. A slide of a fictional participant was
12 referred to as an example of a doctor starting the
13 monitoring process for his opioid use disorder.

14 Ms. Parry discussed the referral process,
15 including providing choices of treatment locations, as
16 well as discussing evaluations and recommendations
17 with the referral source. She outlined forms of
18 treatment, including inpatient and outpatient,
19 aftercare and continued therapy.

20 Ms. Parry provided information with regard to the
21 different types of monitoring agreements currently
22 available. Occupational agreements are new to the
23 program which relate to behavioral issues. After five
24 years, participants are offered a long-term monitoring
25 agreement. After 20 years in the program,

1 participants are then offered a lifetime agreement.

2 Dr. Shapiro discussed the terms of a typical
3 monitoring agreement, which he noted includes therapy,
4 12-step meeting attendance, peer group support, drug
5 monitoring, peer monitoring, weekly telephone check-
6 ins initially followed by monthly throughout the
7 remainder of the agreement.

8 Ms. Parry indicated all of the monitoring
9 agreements also include statements regarding the
10 possibility of being reported should a participant not
11 be compliant with the agreement.

12 Dr. Shapiro noted PHP works alongside PHMP with
13 the shared goal of patient safety in common. He
14 stated the PHP reports to PHMP on a regular basis.

15 Ms. Parry referred to funding as a challenge.
16 Current funding is received through participant fees,
17 donations from health systems, and insurance
18 companies, medical societies, and a contract through
19 the PHMP.

20 Dr. Shapiro stated the PHP visits medical schools
21 for presentations on physician impairment, physician
22 burnout, and marijuana. He noted, with the relevant
23 changes in the practice of medicine, specialty
24 boarding is more often a requirement for
25 credentialing. Dr. Shapiro discussed the two programs

1 provided by the PHP, including volunteer (VRP) and the
2 disciplinary unit (DMU).

3 Dr. Shapiro referred Board members to letters
4 provided by licensed physician volunteers who have had
5 substance abuse disorders for further discussion of
6 resulting VRP and Consent Agreements.

7 Dr. Shapiro referred Board members to a website
8 called Guidelines for the Structure and Function of a
9 State Medical and Osteopathic Board for further
10 information on reprimands, stipulations, fines, public
11 service, and education.]

12 ***

13 [Chairman Loiselles stated the list of committees was
14 being revamped and apologized for the Board's
15 inability to act due to a lack of quorum.]

16 ***

17 Report of Board Chair

18 [Keith Loiselles, Public Member, Board Chairman,
19 reported the Federation of State Medical Boards (FSMB)
20 invited every medical board to send one person to
21 Washington, D.C., on November 14, 2018 for discussion
22 of artificial intelligence as it applies to medicine.
23 Dr. Losee offered to attend. The Governor's Office
24 will be contacted for approval.]

25 CHAIRMAN LOISELLE:

1 Do I have a motion to send Dr. Losee?

2 DR. ROBINSON:

3 Motion.

4 CHAIRMAN LOISELLE:

5 Dr. Robinson makes a motion. Do I have a
6 second?

7 MR. MITCHELL:

8 Second.

9 CHAIRMAN LOISELLE:

10 Mr. Mitchell seconds. All those in favor
11 of sending Dr. Losee to the artificial
12 intelligence symposium in Washington,
13 D.C., on November 14, 2018, pending
14 approval by the Governor's Office,
15 signify by saying aye. Any opposed?

16 [The motion carried unanimously.]

17 ***

18 Report of Board Counsel

19 [Wesley Rish, Esquire, Board Counsel, will provide a
20 report during Executive Session.]

21 ***

22 Report of Regulatory Counsel

23 Draft Practitioners of Oriental Medicine Regulations

24 [Peter Kovach, Esquire, Board Counsel, referred Board
25 members to the Draft Practitioners of Oriental

1 Medicine Regulation. He asked the Board to consider
2 approving an exposure draft for public comment. He
3 noted the Governor's Office requested that the court
4 consider changing regulations regarding Practitioners
5 of Oriental Medicine so that it would no longer
6 require licensure, drugless therapists would no longer
7 be referenced, and a provision on physicians becoming
8 acupuncturists before 1998 would be removed.]

9 CHAIRMAN LOISELLE:

10 Do I have a motion to send these out as
11 an exposure draft for public comment?

12 DR. LOSEE:

13 Motion.

14 DR. VALIGORSKY:

15 Second.

16 CHAIRMAN LOISELLE:

17 Dr. Losee motions, Dr. Valigorsky
18 seconds. All in favor? Opposed?

19 [The motion passed unanimously.]

20 ***

21 For the Board's Information-Discussion

22 Board Meeting Dates

23 [Upcoming 2018 and 2019 Medical Board Meeting Dates
24 were made available for public view.]

25 ***

1 Old Business - New Business

2 [Opioid Guidelines for Affirmation - Treating Chronic
3 Non-cancer Pain, Obstetrics and Gynecology, Pediatric
4 and Adolescent Prescribing Guidelines and Workers'
5 Compensation Guidelines were noted for discussion
6 during Executive Session.]

7 ***

8 Appointments

9 Patricia Dillon - Office of Legislative Affairs

10 [Chairman Loiselle indicated the Office of Legislative
11 Affairs appointment was postponed. Suzanne Zerbe,
12 Board Administrator, summarized that the appointment
13 related to Senate Bill No. 655, a safe and effective
14 Opioid Prescribing Advisory Council that passed the
15 Senate and referred to the House on June 14, 2018. It
16 was noted the Board's legislative priorities would be
17 the focus of the next session. Counsel should contact
18 either Ms. Dillon or Kalonji Johnson, Policy Director,
19 with the committee's suggestions.

20 Chairman Loiselle offered an explanation of the
21 legislative process. He requested that Ms. Zerbe
22 contact Ms. Dillon to reschedule the appointment for
23 discussion of the Senate Bill as well as other
24 legislative matters.]

25 ***

1 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
2 10:57 a.m. the Board entered into Executive Session
3 with Peter D. Kovach, Esquire, Board Counsel, and
4 Wesley J. Rish, Esquire, Board Counsel, for the
5 purpose of conducting quasi-judicial deliberations and
6 to receive legal advice from Board Counsel. The Board
7 returned to open session at 1:45 p.m.]

8 ***

9 [The Board recessed from 1:45 p.m. to 1:56 p.m.]

10 ***

11 [Chairman Loiselles recognized Dr. Sharma, Dr. Heine,
12 Dr. Brod, Dr. Castle, and Dr. Cummings for their
13 service to the Board. Chairman Loiselles stated a Vice
14 Chair would be elected at the Board's next meeting and
15 Dr. Losee would be added to the Probable Cause
16 Screening Committee.]

17 ***

18 MOTIONS

19 MR. RISH:

20 The Board held an Executive Session to
21 conduct quasi-judicial deliberations and
22 receive legal advice regarding the
23 following matters:

24 The first matter was Item No. 2 on
25 the Board's agenda, File No. 17-49-13228

1 and File No. 18-49-03981.

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

6 CHAIRMAN LOISELLE:

7 Do I have a motion to approve the
8 agreement?

9 DR. LOSEE:

10 Motion.

11 MR. MITCHELL:

12 Second.

13 CHAIRMAN LOISELLE:

14 Dr. Losee motions. Mr. Mitchell
15 seconds. All those in favor say aye?
16 Any opposed? The motion carries.

17 [The motion carried unanimously. The Respondent's
18 name is James N. Barke, M.D.]

19 ***

20 MR. KOVACH:

21 The next matter on the agenda is File
22 No. 17-49-12623.

23 Based on the Board's discussions in
24 Executive Session, I believe the Chair
25 would accept a motion to approve that

1 Consent Agreement.

2 CHAIRMAN LOISELLE:

3 Do we have a motion to approve?

4 MR. MITCHELL:

5 Motion.

6 DR. ROBINSON:

7 Second.

8 CHAIRMAN LOISELLE:

9 Mr. Mitchell motions. Dr. Robinson
10 seconds. All those in favor say aye?
11 Any opposed? The motion carries.

12 [The motion carried unanimously. The Respondent's
13 name is Maria Josefa Ruiz, M.D.]

14 ***

15 MR. RISH:

16 The next matter is Item No. 4. It's
17 File No. 18-49-005966. This is a
18 Probable Cause matter, and Mr. Loiselles
19 and Mr. Mitchell recused themselves from
20 Executive Session and did not
21 participate in deliberations.

22 Based upon deliberations in
23 Executive Session, I understand the
24 Board would entertain a motion to
25 adopting the Consent Agreement and

1 Order.

2 Motion to approve?

3 DR. ROBINSON:

4 So moved.

5 DR. LOSEE:

6 Second.

7 MR. RISH:

8 Dr. Robinson moves, and Dr. Losee

9 seconds. All in favor? Any opposed?

10 The motions carries.

11 [The motion carried. Dr. Loisel and Mr. Mitchell

12 recused from deliberations and voting on the motion.

13 The Respondent's name is Richard Edward Huskey, M.D.]

14 ***

15 MR. RISH:

16 The next matter is Item No. 5. File No.

17 17-49-05742 was withdrawn by the

18 Prosecution Division, and the Board did

19 not deliberate upon it.

20 ***

21 MR. RISH:

22 The next matter was Item No. 6, File No.

23 18-49-03859.

24 Based upon discussions in Executive

25 Session, I understand the Board would

1 entertain a motion approving the Consent
2 Agreement and Order.

3 CHAIRMAN LOISELLE:

4 Do we have a motion to approve?

5 DR. VALIGORSKY:

6 Motion.

7 MR. MITCHELL:

8 Second.

9 CHAIRMAN LOISELLE:

10 Dr. Valigorsky motions. Mr. Mitchell
11 seconds. All those in favor? Any
12 opposed? The motions carries.

13 [The motion carried unanimously. The Respondent's
14 name is Benjamin Lee, M.D.]

15 ***

16 MR. RISH:

17 The next matter on the agenda is No. 7.
18 It's File No. 18-49-006022.

19 Based upon the Board's discussions
20 in Executive Session, I believe the
21 Chair would accept a motion to approve
22 that Consent Agreement.

23 CHAIRMAN LOISELLE:

24 Do we have a motion to approve?

25 DR. LOSEE:

1 Motion.

2 DR. VALIGORSKY:

3 Second.

4 CHAIRMAN LOISELLE:

5 Dr. Losee motions, and Dr. Valigorsky
6 seconds. All those in favor? Any
7 opposed? The motion carries.

8 [The motion carried unanimously. The Respondent's
9 name is Joseph D. Ponsi, Pedorthist.]

10 ***

11 MR. RISH:

12 The next matter is File No. 18-49-
13 005050.

14 Based upon the Board's discussions
15 in Executive Session, I believe the
16 Chair would accept a motion to approve
17 that Consent Agreement.

18 CHAIRMAN LOISELLE:

19 Do we have a motion to approve?

20 MR. MITCHELL:

21 Motion.

22 DR. ROBINSON:

23 Second.

24 CHAIRMAN LOISELLE:

25 Mr. Mitchell motions. Dr. Robinson

1 MR. RISH:

2 The next matter is Item No. 10 on the
3 agenda. It's File No. 18-49-02743.

4 Based upon the Board's discussions
5 in Executive Session, I believe the
6 Chair would accept a motion to approve
7 that Consent Agreement.

8 CHAIRMAN LOISELLE:

9 Do we have a motion to approve?

10 DR. ROBINSON:

11 Motion.

12 MR. MITCHELL:

13 Second.

14 CHAIRMAN LOISELLE:

15 Dr. Robinson motions. Mr. Mitchell
16 seconds. All those in favor? Any
17 opposed? The motion carries.

18 [The motion carried unanimously. The Respondent's
19 name is Heather D. Strawbridge, M.D.]

20 ***

21 MR. RISH:

22 The next matter was a Probable Cause
23 matter, for which Mr. Loiselles and Dr.
24 Castle were involved. Mr. Loiselles did
25 not participate in discussions or

1 Executive Session. It's File No. 17-49-
2 04664.

3 Based on the Board's discussion in
4 Executive Session, I believe the Board
5 would accept a motion to approve the
6 Consent Agreement in that matter.

7 MR. MITCHELL:

8 Motion.

9 DR. ROBINSON:

10 Second.

11 MR. RISH:

12 Mr. Mitchell moves. Dr. Robinson
13 seconds. All those in favor? All those
14 opposed? The motion passes.

15 [The motion carried. Mr. Loisel recused from
16 deliberations and voting on the motion. The
17 Respondent's name is Raymond J. Stefanik, L.R.T.]

18 ***

19 MR. RISH:

20 The next matter on the agenda is VRP
21 File No. 18-49-01207.

22 Based on the Board's discussions in
23 Executive Session, I believe the Board
24 Chair would accept a motion approving
25 that Consent Agreement.

1 CHAIRMAN LOISELLE:

2 Do we have a motion to approve?

3 DR. LOSEE:

4 Motion.

5 DR. VALIGORSKY:

6 Second.

7 CHAIRMAN LOISELLE:

8 Dr. Losee motions. Dr. Valigorsky

9 seconds. All those in favor, say aye?

10 Any opposed? The motion carries.

11 [The motion carried unanimously.]

12 ***

13 MR. RISH:

14 The next matter is Item No. 13, also a

15 Probable Cause matter for which Mr.

16 Loiselles did not participate in

17 discussions or Executive Session. It's

18 File No. 17-49-10403.

19 Based on the Board's discussions in

20 Executive Session, I believe the Board

21 would accept a motion to approve that

22 Consent Agreement.

23 DR. LOSEE:

24 Motion.

25 MR. MITCHELL:

1 Second.

2 MR. RISH:

3 Dr. Losee motions. Mr. Mitchell
4 seconds. All those in favor? All those
5 opposed? The motion passes.

6 [The motion carried. Mr. Loiselles recused from
7 deliberations and voting on the motion. The
8 Respondent's name is Mehdi Nikparvarfard, M.D., A/K/A/
9 Mehdi Nikparvarfar Fard, M.D., A/K/A Mehdi Nikparvar,
10 M.D., A/K/A/ Mehdi Armani, M.D.]

11 ***

12 MR. RISH:

13 The next matter on the agenda is Item
14 No. 14. It's File No. 18-49-02742.

15 Based on the Board's discussions in
16 Executive Session, I believe the Board
17 Chair would accept a motion to approve
18 that Consent Agreement.

19 CHAIRMAN LOISELLE:

20 Do we have a motion to approve?

21 MR. MITCHELL:

22 Motion.

23 DR. ROBINSON:

24 Second.

25 CHAIRMAN LOISELLE:

1 Mr. Mitchell motions. Dr. Robinson
2 seconds. All in favor, say aye? Any
3 opposed? The motion carries.

4 [The motion carried unanimously. The Respondent's
5 name is Sherif Aziz Salama, M.D.]

6 ***

7 MR. KOVACH:

8 The next matter is Item No. 15 on the
9 agenda. It's File No. 18-49-02613.
10 This was a Probable Cause matter, and
11 Mr. Loiselle and Mr. Mitchell recused
12 themselves and did not participate in
13 Executive Session discussions.

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

18 Is there a motion?

19 DR. LOSEE:

20 Motion.

21 DR. VALIGORSKY:

22 Second.

23 MR. KOVACH:

24 Dr. Losee moves. Dr. Valigorsky
25 seconds. All in favor? Any opposed?

1 The motion carries.
2 [The motion carried. Mr. Loiselles and Mr. Mitchell
3 recused from deliberations and voting on the motion.
4 The Respondent's name is Shane Danielson, M.D.]

5 ***

6 MR. KOVACH:

7 The next matter is Item No. 16 on the
8 Board's agenda. It's File No. 18-49-
9 02741.

10 Based upon discussions in Executive
11 Session, I understand the Board would
12 entertain a motion approving the Consent
13 Agreement and Order.

14 CHAIRMAN LOISELLE:

15 Do we have a motion to approve?

16 DR. ROBINSON:

17 Motion.

18 DR. LOSEE:

19 Second.

20 CHAIRMAN LOISELLE:

21 Dr. Robinson moves. Dr. Losee seconds.

22 All in favor, say aye? Any opposed?

23 The motion carries.

24 [The motion carried unanimously. The Respondent's
25 name is Miguel Estevez, M.D.]

1 ***

2 MR. RISH:

3 Skipping down to Nos. 20 through 23 on
4 the agenda, the Opioid Guidelines, based
5 on the Board's discussions in Executive
6 Session. I believe that the Board Chair
7 would accept a motion to approve those
8 guidelines, which are guidelines
9 involving treating chronic non-cancer
10 pain, obstetrics and gynecology,
11 pediatric and adolescent prescribing, and
12 Workers' Compensation guidelines as
13 voluntary guidelines only. And the Board
14 specifically opposes any legislative
15 action designed or intended to make those
16 guidelines statutory.

17 CHAIRMAN LOISELLE:

18 Do I have a motion to affirm all four of
19 those guidelines?

20 DR. VALIGORSKY:

21 Motion.

22 MR. MITCHELL:

23 Second.

24 CHAIRMAN LOISELLE:

25 Dr. Valigorsky moves. Mr. Mitchell

1 seconds. All those in favor of affirming
2 the four guidelines, say aye. Any
3 opposed? The affirmations are complete.

4 [The motion carried unanimously.]

5 ***

6 MR. RISH:

7 The next matter is Item No. 24. It's
8 File No. 15-49-08884, Commonwealth of
9 Pennsylvania, Bureau of Professional and
10 Occupational Affairs vs. Shabbar Hussain,
11 M.D.

12 Based upon discussions in Executive
13 Session, I understand that the Board
14 would entertain a motion adopting the
15 Adjudication and substituting a Board
16 Order.

17 CHAIRMAN LOISELLE:

18 Do I have a motion to substitute a Board
19 Order?

20 DR. ROBINSON:

21 Motion.

22 DR. LOSEE:

23 Second.

24 CHAIRMAN LOISELLE:

25 Dr. Robinson moves. Dr. Losee seconds.

1 All in favor, say aye. Any opposed?

2 [The motion carried unanimously.]

3 ***

4 MR. RISH:

5 The next matter is Item No. 25, File No.
6 16-49-09849, Commonwealth of
7 Pennsylvania, Bureau of Professional and
8 Occupational Affairs vs. Ernest B.
9 DeBourbon, M.D.

10 Based upon discussions in Executive
11 Session, I understand that the Board
12 would entertain a motion adopting the
13 Hearing Examiner's Adjudication and Order
14 as the Final Order of the Board.

15 CHAIRMAN LOISELLE:

16 Do I have a motion to approve?

17 MR. MITCHELL:

18 Motion.

19 DR. VALIGORSKY:

20 Second.

21 CHAIRMAN LOISELLE:

22 Mr. Mitchell moves. Dr. Valigorsky
23 seconds. All in favor, say aye. Any
24 opposed? The motion carries.

25 [The motion carried unanimously.]

1 ***

2 MR. RISH:

3 The next matter is Item No. 26, File No.
4 17-49-02031, Commonwealth of
5 Pennsylvania, Bureau of Professional and
6 Occupational Affairs vs. Thomas Klinner,
7 Jr., M.D.

8 Based upon discussions in Executive
9 Session, I understand that the Board
10 would entertain a motion approving the
11 adjudication and substituting a Board
12 Order.

13 CHAIRMAN LOISELLE:

14 Can I have a motion to substitute the
15 Board Order?

16 DR. LOSEE:

17 Motion.

18 MR. MITCHELL:

19 Second.

20 CHAIRMAN LOISELLE:

21 Dr. Losee moves. Mr. Mitchell seconds.
22 All in favor, say aye. Any opposed? The
23 motion carries.

24 [The motion carried unanimously.]

25 ***

1 MR. RISH:

2 The next matter is Item No. 27 on the
3 Board's agenda. It's File No. 17-49-
4 10919, Commonwealth of Pennsylvania,
5 Bureau of Professional and Occupational
6 Affairs vs. Peter J. Delenick, M.D.

7 Based upon discussions in Executive
8 Session, I understand that the Board
9 would entertain a motion approving the
10 adjudication and substituting a Board
11 Order.

12 CHAIRMAN LOISELLE:

13 Do I have a motion to substitute the
14 Board Order?

15 DR. LOSEE:

16 Motion.

17 MR. MITCHELL:

18 Second.

19 CHAIRMAN LOISELLE:

20 Dr. Losee moves. Mr. Mitchell seconds.
21 All in favor, say aye. Any opposed? The
22 motion carries.

23 [The motion carried unanimously.]

24 ***

25 MR. KOVACH:

1 The next matter is Item No. 28. It's
2 Commonwealth of Pennsylvania, Bureau of
3 Professional and Occupational Affairs vs.
4 Matthew M. Minarik, PA-C, File No. 17-49-
5 14267.

6 Based upon the Board's discussions
7 in Executive Session, I believe the Chair
8 would accept a motion to adopt the
9 proposed Adjudication and direct Counsel
10 to issue a memorandum order disposing of
11 exceptions in that matter.

12 CHAIRMAN LOISELLE:

13 Do I have a motion to adopt the
14 Adjudication and Order and address the
15 exceptions?

16 MR. MITCHELL:

17 Motion.

18 DR. LOSEE:

19 Second.

20 CHAIRMAN LOISELLE:

21 Motion to address the exception by Mr.
22 Mitchell. Seconded by Dr. Losee. All in
23 favor, say aye. Any opposed? That
24 motion carries.

25 [The motion carried unanimously.]

1

2 MR. KOVACH:

3

The next matter, Item No. 29, File No.
17-49-11893, was tabled due to lack of
quorum.

4

5

6

7 MR. KOVACH:

8

Moving onto No. 30, Commonwealth of
Pennsylvania, Bureau of Professional and
Occupational Affairs vs. Hill Rizvi, M.D.

9

10

11

Based on the Board's discussions in
Executive Session, I believe the Board
Chair would accept a motion approving the
issuance of that adjudication.

12

13

14

15 CHAIRMAN LOISELLE:

16

Do I have a motion to approve?

17

17 DR. ROBINSON:

18

Motion.

19

19 MR. MITCHELL:

20

Second.

21

21 CHAIRMAN LOISELLE:

22

Dr. Robinson moves. Mr. Mitchell

23

seconds. All in favor, say aye. Any

24

opposed? The motion carries.

25

[The motion carried unanimously.]

1 ***

2 MR. RISH:

3 The next matter is Item No. 31 on the
4 Board's agenda. It's the application for
5 an Initial Athletic Trainer License of
6 Louise Inch, LAT.

7 Based upon the Board's discussions
8 in Executive Session, I understand the
9 Board would entertain a motion approving
10 the application.

11 CHAIRMAN LOISELLE:

12 Do I have a motion to approve?

13 DR. ROBINSON:

14 Motion.

15 DR. LOSEE:

16 Second.

17 CHAIRMAN LOISELLE:

18 Dr. Robinson moves. Dr. Losee seconds.

19 All in favor, say aye. Any opposed?

20 That motion carries.

21 [The motion carried unanimously.]

22 ***

23 MR. RISH:

24 We can take the next applications as a
25 group. Number 32, the Initial

1 Unrestricted License Application filed by
2 Joel Wolinsky, M.D.; No. 35, the Initial
3 Unrestricted License of Alphonso Brenell
4 Benton, M.D.; No. 36, the Initial
5 Unrestricted License of Laurie Lebleu
6 Vaszily, M.D.; No. 37, the Initial
7 Unrestricted License of Karoline Puder,
8 M.D.; No. 39, the Initial Unrestricted
9 License of Cheryl Tyler, M.D.; No. 40,
10 the Initial Unrestricted License of
11 Dwight Townsend, M.D.; No. 41, the
12 Initial Unrestricted License of Mark
13 Akers, M.D.,; No. 42, the Initial
14 Unrestricted License of Florencia Polite,
15 M.D.; No. 43, the Initial Unrestricted
16 License of Juan Manuel D'Brot, M.D.; and
17 No. 44, the Initial Unrestricted License
18 of Bruce Chipkin, M.D.

19 Based on the Board's discussions I
20 Executive Session, I believe the Chair
21 would accept a motion approving all of
22 those applications.

23 CHAIRMAN LOISELLE:

24 Do we have a motion for all of those
25 applications?

1 DR. ROBINSON:

2 Motion.

3 DR. LOSEE:

4 Second.

5 CHAIRMAN LOISELLE:

6 Dr. Robinson moves. Dr. Losee seconds.

7 All in favor, say aye. Any opposed? The
8 motion carries.

9 [The motion carried unanimously.]

10 ***

11 MR. KOVACH:

12 The next matter is Item 33. It's the
13 Initial Application for an Unrestricted
14 License of Brian Cable, M.D.

15 Based on the Board's discussions I
16 Executive Session, I understand the Board
17 would entertain a motion provisionally
18 denying the application and approving
19 entry of a stipulated Final Order placing
20 the Applicant in the Disciplinary
21 Monitoring Unit for three years.

22 CHAIRMAN LOISELLE:

23 Do I have a motion to approve the
24 stipulated order?

25 DR. LOSEE:

1 Motion.

2 DR. VALIGORSKY:

3 Second.

4 CHAIRMAN LOISELLE:

5 Dr. Losee moves. Dr. Valigorsky seconds.

6 All in favor, say aye. Any opposed?

7 That motion carries.

8 [The motion carried unanimously.]

9 ***

10 MR. KOVACH:

11 The next matter on the agenda is Item No.

12 34, the Initial Unrestricted License

13 Application by Eleni Solos-Kountouris,

14 M.D.

15 And based on discussions in

16 Executive Session, I believe the Board

17 Chair would accept a motion approving

18 that application.

19 CHAIRMAN LOISELLE:

20 Do I have a motion to approve?

21 MR. MITCHELL:

22 Motion.

23 DR. LOSEE:

24 Second.

25 CHAIRMAN LOISELLE:

1 Mr. Mitchell moves. Dr. Losee seconds.

2 All in favor, say aye. Any opposed?

3 [The motion carried. Mr. Loiselles abstained from
4 deliberations and voting on the motion.]

5 ***

6 MR. KOVACH:

7 Skipping down to No. 38, the Initial
8 Unrestricted License Application of
9 Patrick Allen Titus, M.D.

10 And based on the Board's
11 discussions in Executive Session, I
12 believe the Chair would accept a motion
13 provisionally denying that application.

14 CHAIRMAN LOISELLE:

15 Do we have a motion to deny?

16 DR. LOSEE:

17 Motion.

18 DR. VALIGORSKY:

19 Second.

20 CHAIRMAN LOISELLE:

21 Dr. Losee moves. Dr. Valigorsky seconds.

22 All in favor, say aye. Any opposed?

23 That motion carries.

24 [The motion carried unanimously.]

25 ***

1 MR. KOVACH:

2 Skipping down to Item No. 45, the Initial
3 Temporary Physician and Surgeon License
4 Application filed by Tejan Patel, M.D.

5 Based on the Board's discussions in
6 Executive Session, I believe the Chair
7 would accept a motion approving that
8 application.

9 CHAIRMAN LOISELLE:

10 Do we have a motion to approve?

11 MR. MITCHELL:

12 Motion.

13 DR. LOSEE:

14 Second.

15 CHAIRMAN LOISELLE:

16 Mr. Mitchell moves. Dr. Losee seconds.

17 All in favor, say aye. Any opposed?

18 That motion carries.

19 [The motion carried unanimously.]

20 ***

21 MR. RISH:

22 The next matter is Item No. 46, the
23 initial written request for an exception
24 to supervise more than four physician
25 assistants on a limited and seasonal

1 basis submitted by Jason Galicia, M.D.
2 and Physician Assistants Joy Dubrovich,
3 PA-C and Caroline Ahlquist, PA-C. I
4 understand that because of a prior
5 written agreement change form, the
6 application on behalf of Caroline
7 Ahlquist has already been addressed.

8 And based upon discussions in
9 Executive Session, I understand that the
10 Board would entertain a motion to approve
11 the application submitted by Jason
12 Galicia, M.D., and Joy Dubrovich, PA-C.

13 CHAIRMAN LOISELLE:

14 Do I have a motion to approve?

15 DR. LOSEE:

16 Motion.

17 MR. MITCHELL:

18 Second.

19 CHAIRMAN LOISELLE:

20 Dr. Losee moves. Mr. Mitchell seconds.

21 All in favor, say aye. Any opposed?

22 That motion carries.

23 [The motion carried unanimously.]

24 ***

25 MR. KOVACH:

1 The next matter on the agenda is the
2 Initial Unrestricted License by
3 Endorsement Application filed by Amedeo
4 Spina, M.D. And in this matter, Mr.
5 Mitchell recused himself and did not
6 participate in Executive Session or in
7 this vote.

8 And based on the Board's
9 discussions in Executive Session, I
10 believe the Board Chair would accept a
11 motion approving that application.

12 CHAIRMAN LOISELLE:

13 Do we have a motion to approve?

14 DR. ROBINSON:

15 Motion.

16 DR. LOSEE:

17 Second.

18 CHAIRMAN LOISELLE:

19 Dr. Robinson moves. Dr. Losee seconds.
20 All in favor, say aye. Any opposed? The
21 motion carries.

22 [The motion carried. Mr. Mitchell recused from
23 deliberations and voting on the motion.]

24 ***

25 MR. KOVACH:

1 The next matter on the agenda is No. 48,
2 the Initial Unrestricted License by
3 waiver filed by Jasmine Poovan Vincent,
4 M.D.

5 Based on the Board's discussions in
6 Executive Session, I believe the Board
7 Chair would accept a motion approving the
8 application.

9 CHAIRMAN LOISELLE:

10 Do we have a motion to approve?

11 DR. LOSEE:

12 Motion.

13 DR. ROBINSON:

14 Second.

15 CHAIRMAN LOISELLE:

16 Dr. Losee moves. Dr. Robinson seconds.

17 All in favor, say aye. Any opposed?

18 That motion carries.

19 [The motion carried unanimously.]

20 ***

21 MR. KOVACH:

22 The final two matters, Nos. 49 and 50 on
23 the agenda, the Initial Unrestricted
24 License application of Stephen Wilson,
25 M.D., and the status change application

1 filed by Jeffrey Brait Cohn, M.D.

2 Based on the Board's discussions in
3 Executive Session, I believe the Chair
4 would accept a motion directing that the
5 matter be tabled and that the Board
6 Administrator issue the standard re-entry
7 letter.

8 CHAIRMAN LOISELLE:

9 Do we have a motion for the standard re-
10 entry letter?

11 MR. MITCHELL:

12 Motion.

13 DR. LOSEE:

14 Second.

15 CHAIRMAN LOISELLE:

16 Mr. Mitchell moves. Dr. Losee seconds.

17 All in favor, say aye. Any opposed?

18 That motion carries.

19 [The motion carried unanimously.]

20 ***

21 [Chairman Loiselles congratulated Ms. Lambert on her
22 appointment to Deputy Commissioner.]

23 ***

24 Adjournment

25 [There being no other business, the State Board of

1 Medicine Meeting adjourned at 2:21 p.m.]

2 ***

3 [The next meeting is scheduled for October 23, 2018]

4 ***

5

6

7

CERTIFICATE

8

9 I hereby certify that the foregoing summary
10 minutes of the State Board of Medicine meeting, was
11 reduced to writing by me or under my supervision, and
12 that the minutes accurately summarize the substance of
13 the State Board of Medicine meeting.

14

15

16



17

Haley J. Neumeister,

18

Minute Clerk

19

Sargent's Court Reporting

20

Service, Inc.

21

22

23

24

25

26

STATE BOARD OF MEDICINE
REFERENCE INDEX
September 5, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7	9:00	Official Call to Order
8		
9	9:01	Introduction of Board Members and
10		Audience
11		
12	9:03	Approval of Minutes
13		
14	9:04	Report of Prosecution Division
15		
16	9:27	Report of Commissioner
17		
18	9:30	Report of Department of Health
19		
20	9:36	Report of Committees
21		
22	9:37	Appointment - Rachel Levine
23		
24	10:07	Appointment - PHP Presentation
25		
26	10:40	Report of Board Chair
27		
28	10:44	Report of Regulatory Counsel
29		
30	10:50	For the Board's Information-Discussion
31		
32	10:51	Old Business-New Business
33		
34	10:51	Appointment - Suzanne Zerbe
35		
36	10:57	Executive Session
37	1:45	Recess
38	1:56	Return to Open Session
39		
40	1:56	Motions
41		
42	2:21	Adjournment
43		
44		
45		
46		
47		
48		
49		
50		