

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
VIA VIDEOCONFERENCE**

TIME: 10:36 A.M.

Tuesday, December 14, 2021

State Board of Medicine
December 14, 2021

BOARD MEMBERS:

Mark B. Woodland, M.S., M.D., Chair
 K. Kalonji Johnson, Commissioner, Bureau of
 Professional and Occupational Affairs
 Ronald E. Domen, M.D., Vice Chair
 Gerard F. Dillon, Ph.D., Public Member
 Walter A. Eisenhauer, PA-C - Absent
 Denise A. Johnson, M.D., Physician General
 Nazanin E. Silver, M.D.
 Paul J. Valigorsky II, M.D. - Present left at 9:57
 Donald M. Yealy, M.D.

BUREAU PERSONNEL:

Dana M. Wucinski, Esquire, Board Counsel
 Shana M. Walter, Esquire, Board Counsel
 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
 Division
 Dean F. Picarella, Esquire, Senior Board Counsel
 Jason T. Anderson, Esquire, Board Prosecution Liaison
 Adam Williams, Esquire, Board Prosecutor
 Jonelle Harter Eshbach, Esquire, Board Prosecutor
 Mark R. Zogby, Esquire, Board Prosecutor
 Holly Hoffman, Law Clerk, Department of State
 Matthew Anderson, Esquire, Board Prosecutor
 Jasmira Hunter, Board Administrator
 Suzanne Zerbe, Board Administrator
 Marc Farrell, Deputy Policy Director, Department of
 State

State Board of Medicine
December 14, 2021

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:

- Andrew C. Harvan, Esquire, Pennsylvania Medical Society
- Jen Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure Committee
- Kathryn Witherow
- Meg (Unknown last name)
- Nicole Sidle, Republican Executive Director, House Professional Licensure Committee
- Holleigh Eeckerton
- Mary Marshall, Director, Workforce & Professional Development, The Hospital and Healthsystem Association of Pennsylvania
- Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants
- Ted Mowatt, CAE, Vice President, Wanner Associates
- Timothy Clark
- Wesley J. Rish, Esquire, Rish Law Office, LLC
- Randy Stevens, Pennsylvania Orthotic & Prosthetic Society
- Lisa Claypool Stevenson, Senior Associate Counsel, University of Pittsburgh Medical Center
- Ronald V. Hall, M.D., FACEP, President, Pennsylvania College of Emergency Physicians
- Eleanor Dunham, M.D., MBA, FACEP, Pennsylvania College of Emergency Physicians

1 State Board of Medicine

2 December 14, 2021

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
5 8:45 a.m. the Board entered into Executive Session
6 with Dana M. Wucinski, Esquire, Board Counsel, and
7 Shana M. Walter, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations on
9 a number of matters currently pending before the Board
10 and to receive the advice of counsel. The Board
11 returned to open session at 10:36 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Medicine was held on Tuesday, December 14,
15 2021. Mark B. Woodland, M.S., M.D., Chair, called the
16 meeting to order at 10:36 a.m.

17 ***

18 Meeting Instructions

19 [Chair Woodland provided instructions to be followed
20 during the virtual meeting. He also reminded everyone
21 that the meeting was being recorded, and voluntary
22 participation constituted consent to be recorded.]

23 ***

24 Introduction of Attendees

25 [Chair Woodland provided an introduction of

1 attendees.]

2

3 Approval of minutes of the September 14, 2021 meeting

4 CHAIR WOODLAND:

5

Next is approval of minutes, and you

6

will notice by our agenda that we are

7

approving the September 14, 2021

8

minutes.

9

Do I have a motion to approve?

10 DR. YEALY:

11

So moved.

12 MR. DILLON:

13

Second.

14 CHAIR WOODLAND:

15

Any further discussion on the minutes of

16

September 14? All those in favor, say

17

yea. All those opposed, say nay. Any

18

abstentions or recusals?

19 [The motion carried unanimously.]

20

21 Report of Prosecution Division

22

[Shana M. Walter, Esquire, Board Counsel, reminded

23

everyone that the meeting was being recorded, and

24

those who continued to participate were giving their

25

consent to being recorded.

1 Ms. Walter also noted the Board waived the
2 presentation of the consent agreements.]

3 MOTIONS

4 MS. WALTER:

5 Number 2, Case No. 21-49-007105; number
6 3, Case No. 20-49-012370; number 4, Case
7 No. 21-49-010174; number 5, Case No. 19-
8 49-018184; number 6, Case No. 20-49-
9 003205, number 7, Case No. 20-49-008129,
10 number 8, Case No. 20-49-012047; number
11 9, Case No. 21-49-000168; number 10,
12 Case No. 20-49-001443; number 11, Case
13 No. 21-49-015379; number 12, Case No.
14 21-49-007036; number 13, Case No. 21-49-
15 017152; number 14, Case No. 20-49-
16 008818; number 15, Case No. 19-49-
17 011466; number 26, Case No. 21-49-
18 016552; number 27, Case No. 21-49-
19 009147.

20 I believe the Board would entertain
21 a motion to approve these Consent
22 Agreements.

23 CHAIR WOODLAND:

24 Do I have a motion to approve?

25 DR. YEALY:

1 Motion.

2 MR. DILLON:

3 Second.

4 CHAIR WOODLAND:

5 Any further discussion? All those in
6 favor, say yea. Any opposed, say nay.
7 Any abstentions or recusals for any one
8 of them? Hearing none.

9 [The motion carried unanimously. The Respondent's
10 name in number 2 is Richard Curtis Kinney, M.D.;
11 number 3, Tiffany Rose McTigue; number 4, Sheryl Marie
12 Hakala, M.D.; number 5, Stephen Michael Dierks, M.D.;
13 number 6, Thomas Joseph Krisanda, M.D.; number 7,
14 Harrison Young Yang, M.D.; number 8, Maricelina Caro,
15 M.D.; number 9, Miguel Angel Gonzalez, M.D.; number
16 10, Roswell Tempest Lowry, M.D.; number 11, Nima
17 Naghshineh, M.D.; number 12, Grayson Hubbard Wheatley
18 III, M.D.; number 13, Robert Joseph Keating, M.D.;
19 number 14, Robert Hyatt Shank, LAT; number 15, Stephen
20 Charles Padnes, M.D.; number 26; Muhammad Asad Mirza;
21 and number 27, Robert Neal Doherty.]

22 ***

23 MS. WALTER:

24 I believe the Board would entertain a
25 motion to approve the Consent Agreements

1 in the following agenda items: Item 16,
2 Case No. 21-49-005476; item 17, Case No.
3 21-49-006085; item 18, Case No. 21-49-
4 007338; item 19, Case No. 21-49-009382;
5 item 20, Case No. 21-49-011253; item 21,
6 Case No. 21-49-013637; item 22, Case No.
7 21-49-013105; item 23, Case No. 21-49-
8 014257; item 24, Case No. 21-49-015044;
9 item 25, Case No. 21-49-015409.

10 Is there a motion to approve these
11 Consent Agreements?

12 DR. YEALY:

13 So moved.

14 CHAIR WOODLAND:

15 Is there a second?

16 DR. DOMEN:

17 Second.

18 CHAIR WOODLAND:

19 Any further discussion? Hearing none.
20 All those in favor, say yea. All those
21 opposed, say nay. Any abstentions or
22 recusals on any or all of them? Hearing
23 none.

24 [The motion carried unanimously.]

25

1 MS. WUCINSKI:

2 Agenda item 38. I believe the Board
3 would entertain a motion to adopt the
4 hearing examiner's Proposed
5 Adjudications and Substitute Final Board
6 Order for the following: Item 38,
7 Timothy Clark, M.D., Case No. 21-49-
8 005382; item 41, Ronald Goppold, M.D.;
9 Case No. 21-49-007985.

10 CHAIR WOODLAND:

11 Do we have a motion?

12 DR. YEALY:

13 So, moved.

14 CHAIR WOODLAND:

15 Second?

16 MR. DILLON:

17 Second.

18 CHAIR WOODLAND:

19 Any further discussion? All those in
20 favor, say yea. All those opposed, say
21 nay. Any abstentions or recusals?
22 Hearing none.

23 [The motion carried unanimously.]

24 ***

25 MS. WUCINSKI:

1 Agenda item 39. I believe the Board
2 would entertain a motion to adopt the
3 hearing examiner's Proposed Adjudication
4 and Order for Dana Joyce Morgan Buck,
5 Case No. 21-49-009443.

6 CHAIR WOODLAND:

7 Do we have a motion to approve?

8 DR. DOMEN:

9 So, moved.

10 CHAIR WOODLAND:

11 Second?

12 DR. SILVER:

13 Second.

14 CHAIR WOODLAND:

15 Any further discussion? All those in
16 favor, say yea. Any opposed, say nay.
17 Any abstentions or recusals?

18 [The motion carried unanimously.]

19 ***

20 MS. WUCINSKI:

21 I believe the Board would entertain a
22 motion to direct Board counsel to draft
23 an Adjudication and Order consistent
24 with discussions in Executive Session
25 for the following: Item 40, Lawrence

1 Adams, M.D., Case No. 19-49-006107; item
2 42, Paul DiLorenzo, M.D., Case No. 21-
3 49-009564; item 43, Thomas S. Newmark,
4 M.D., Case No. 21-49-012481.

5 CHAIR WOODLAND:

6 Motion to approve those?

7 DR. YEALY:

8 So moved.

9 MR. DILLON:

10 Second.

11 CHAIR WOODLAND:

12 Any further discussion? All those in
13 favor, say yea. Any opposed, say nay.
14 Any abstentions or recusals? Hearing
15 none.

16 [The motion carried unanimously.]

17 ***

18 MS. WUCINSKI:

19 At agenda items 44 and 45, I believe the
20 Board would entertain a motion to
21 approve the Draft Adjudications and
22 Finals for the following: Alan
23 Geringer, M.D., Case No. 20-49-013220;
24 Hien Nguyen, M.D., Case No. 21-49-
25 000264.

1 CHAIR WOODLAND:

2 Motion to approve?

3 DR. YEALY:

4 So moved.

5 DR. DOMEN:

6 Second.

7 CHAIR WOODLAND:

8 Any further discussion? All those in
9 favor, say yea. All those opposed, say
10 nay. Any abstentions or recusals?

11 [The motion carried unanimously.]

12 ***

13 MS. WUCINSKI:

14 Agenda item 46. I believe the Board
15 would entertain a motion to
16 provisionally deny the Initial
17 Application to Practice as a Physician
18 and Surgeon of Jay Paul Jacobs, M.D.

19 CHAIR WOODLAND:

20 Motion to deny?

21 DR. YEALY:

22 So moved.

23 MR. DILLON:

24 Second.

25 CHAIR WOODLAND:

1 Any further discussion? All those in
2 favor, say yea. Any opposed, say nay.
3 Any abstentions or recusals?

4 [The motion carried unanimously.]

5 ***

6 MS. WUCINSKI:

7 Agenda item 47. I believe the Board
8 would entertain a motion to ratify the
9 vote to grant the Application for
10 Initial License by Endorsement to
11 Practice as a Physician and Surgeon for
12 Andrew Hughes, M.D.

13 DR. YEALY:

14 So moved.

15 CHAIR WOODLAND:

16 Second?

17 DR. DOMEN:

18 Second.

19 CHAIR WOODLAND:

20 Any further discussion? All those in
21 favor, say yea. All those opposed, say
22 nay. Thank you Gerry. Any abstentions
23 or recusals? Hearing a majority, I
24 believe this moves to go forward.

25 [The motion carried. Mr. Dillon opposed the motion.]

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

MS. WUCINSKI:

Agenda item 50. I believe the Board would entertain a motion to ratify the vote to grant the Application for Initial License by Endorsement to Practice as a Physician and Surgeon for Ahmad Al Omari, M.D.

CHAIR WOODLAND:

Motion to approve?

DR. YEALY:

So moved.

MR. DILLON:

Second.

CHAIR WOODLAND:

Any further discussion? All those in favor, say yea. Any opposed, say nay. Any abstentions or recusals? Hearing none. That moves forward.

[The motion carried unanimously.]

MS. WUCINSKI:

Agenda item 51. I believe the Board would entertain a motion to approve an Institutional License for Shobhana

1 Parameshwaran, M.D.

2 DR. DOMEN:

3 So moved.

4 CHAIR WOODLAND:

5 Second?

6 DR. SILVER:

7 Second.

8 CHAIR WOODLAND:

9 Any further discussion? All those in
10 favor, say yea. Any opposed, say nay.
11 Any abstentions or recusals? Hearing
12 none. That moves forward.

13 [The motion carried unanimously.]

14 ***

15 MS. WUCINSKI:

16 I believe the Board would entertain a
17 motion to grant the Initial Application
18 for a License by Endorsement to Practice
19 as a Physician and Surgeon for agenda
20 item 54, Omar Jarral, M.D., and item 56,
21 Atiq Khan, M.D.

22 CHAIR WOODLAND:

23 Do I have a motion to approve?

24 DR. YEALY:

25 So moved.

1 DR. DOMEN:

2 Second.

3 CHAIR WOODLAND:

4 Any further discussion? Any other
5 further discussion? All in favor, say
6 yea. Any opposed, say nay. Any other
7 abstentions or recusals? Hearing none.
8 We do feel we have a majority. That
9 moves forward.

10 [The motion carried. Mr. Dillon opposed agenda item
11 54.]

12 ***

13 MS. WUCINSKI:

14 I believe the Board would entertain a
15 motion to invite the following
16 Applicants for License by Endorsement to
17 Apply for an Institutional License.
18 These would be agenda items 48, 49, 52,
19 53, and 55 for Aurora Pujol Onofre,
20 M.D.; Mehrinam Ulas, M.D.; Ashlesha
21 Satish Udare, M.D.; Michel Pompeu Barros
22 De Oliveira Sa', M.D.; and Liming Qiu,
23 M.D.

24 CHAIR WOODLAND:

25 Motion to approve?

1 DR. YEALY:

2 So moved.

3 DR. SILVER:

4 Second.

5 CHAIR WOODLAND:

6 Any further discussion? All those in
7 favor, say yea. Any opposed, say nay.
8 Any abstentions or recusals? Hearing
9 none. That moves forward.

10 [The motion carried unanimously.]

11 ***

12 MS. WUCINSKI:

13 Agenda items 57 through 63. I believe
14 the Board would entertain a motion to
15 send standard reentry letters to the
16 following: Zaki Ftaiha, M.D.; David
17 Sholehvar, M.D.; Gina Gilbert; Bernard
18 Leff, M.D.; Albert Blumberg, M.D.;
19 Russell Rychek, M.D.; Melissa Mohon,
20 M.D.

21 I would note that Dr. Yealy has
22 recused himself from agenda item 60,
23 Bernard Leff, M.D., and Dr. Silver has
24 recused from agenda item 58 for David
25 Sholehvar, M.D.

1 CHAIR WOODLAND:

2 Motion to approve?

3 DR. DOMEN:

4 So moved.

5 MR. DILLON:

6 Second.

7 CHAIR WOODLAND:

8 Any further discussion, noting those two
9 recusals? All those in favor, say yea.
10 All those opposed, say nay. Any
11 abstentions or recusals other than the
12 ones we know about? Hearing none. I
13 believe those moves forward.

14 [The motion carried. Dr. Yealy recused himself from
15 deliberations and voting on the motion for agenda item
16 60, Bernard Leff, M.D. Dr. Silver has recused herself
17 from deliberations and voting on the motion for agenda
18 item 58 for David Sholehvar, M.D.]

19 ***

20 MS. WUCINSKI:

21 The Board tabled agenda 64 to gather
22 additional information.

23 ***

24 MS. WUCINSKI:

25 Agenda item 65. I believe the Board

1 would entertain a motion to deny the
2 request of Amber Rayo to sponsor her to
3 retake step 1 of the USMLE.

4 CHAIR WOODLAND:

5 Motion to deny?

6 MR. DILLON:

7 So moved.

8 DR. YEALY:

9 Second.

10 CHAIR WOODLAND:

11 Any further discussion? All those in
12 favor, say yea. Any opposed, say nay.
13 Any abstentions or recusals? Motion to
14 deny moves forward.

15 [The motion carried unanimously.]

16 ***

17 MS. WUCINSKI:

18 Agenda item 66. I believe the Board
19 would entertain a motion to deny the
20 Commonwealth motion to delegate final
21 authority in this matter to the hearing
22 examiner for John Gianoli III, Case No.
23 21-49-012586. There is a note that Dr.
24 Valigorsky is recused.

25 CHAIR WOODLAND:

1 Motion to deny?

2 DR. YEALY:

3 So moved.

4 CHAIR WOODLAND:

5 Second?

6 DR. SILVER:

7 Second.

8 CHAIR WOODLAND:

9 Any further discussion? All those in
10 favor, say yea. Any opposed, say nay.
11 Any abstentions or recusals? All right,
12 we are there on that one.

13 [The motion carried. Dr. Valigorsky was not present
14 but was recused from Case No. 21-49-012586.]

15 ***

16 MS. WUCINSKI:

17 Agenda item 67. I believe the Board
18 would entertain a motion to direct Board
19 counsel to issue an order vacating the
20 Consent Agreement and Order placing
21 respondent into the VRP at VRP Case No.
22 18-49-004459 and to direct that all
23 corresponding action reported to the
24 databank be vacated.

25 CHAIR WOODLAND:

1 Motion to vacate?

2 DR. DOMEN:

3 So moved.

4 DR. YEALY:

5 Second.

6 CHAIR WOODLAND:

7 Any further discussion? All those in
8 favor, say yea. Any opposed, say nay.

9 Any abstentions or recusals? Hearing
10 none. This moves forward.

11 [The motion carried unanimously.]

12 ***

13 MS. WUCINSKI:

14 Agenda item 68. I believe the Board
15 would entertain a motion to approve
16 Steven C. Lewis, D.O., CMD., as the
17 preceptor for Michael B. Rosen, M.D.,
18 Case No. 21-49-000845.

19 CHAIR WOODLAND:

20 Motion to approve?

21 MR. DILLON:

22 Move.

23 DR. SILVER:

24 Second.

25 CHAIR WOODLAND:

1 Any further discussion? Hearing none.
2 All those in favor, say yea. Any
3 opposed, say nay. Any abstentions or
4 recusals?

5 [The motion carried unanimously.]

6 ***

7 Appointment - Pennsylvania College of Emergency
8 Physicians (PACEP) - Licensure Discussion and Mental
9 Health Presentation

10 [Mark B. Woodland, M.S., M.D., Chair, mentioned being
11 impressed by some of the questions about mental
12 illness and medical licensure. Dr. Hall, Dr. Dunham,
13 and Dr. Kraus offered to provide a presentation. He
14 also mentioned the topic is being discussed at the
15 federal level at the Federation of State Medical
16 Boards (FSMB) as well.

17 Ronald V. Hall, M.D., FACEP, President,
18 Pennsylvania College of Emergency Physicians, provided
19 a presentation regarding mental health and health-care
20 providers. He stated, over the last couple of years,
21 everyone has been reading and watching news about the
22 mental health of health-care providers with hospitals
23 being under-resourced and providers experiencing their
24 own grief of patients and family members who have died
25 from COVID.

1 Dr. Hall addressed the death of Lorna Breen, an
2 emergency medicine physician at New York Presbyterian
3 Hospital, who died by suicide in April 2020. He
4 stated her death emphasized the cultural issues in
5 health care about not being able to take a break from
6 their jobs or seek care and more importantly signaled
7 a turning point on how physicians address mental
8 health. He mentioned that the Lorna Breen Health-Care
9 Provider Protection Act resulted from her death.

10 Eleanor Dunham, M.D., MBA, FACEP, Pennsylvania
11 College of Emergency Physicians, stated the
12 Pennsylvania Board of Medicine and other licensing
13 bodies are obligated to protect the public from
14 impaired physicians. She commented that, in terms of
15 impaired physicians, they are talking about mental
16 illness and not substance abuse. She noted that a lot
17 of professional licensing bodies can conflict with the
18 Americans with Disabilities Act (ADA), which seeks to
19 prevent discrimination against those who have
20 disabilities and psychiatric and mental illness.

21 Dr. Dunham noted the difference between illness
22 and impairment and provided definitions. She reported
23 that mental illness in the medical profession is known
24 and actually starts in the first two years of medical
25 school, where statistics show that at the end of the

1 first year that 57 percent of medical students have
2 moderate-to-severe anxiety or at the end of the first
3 year 27 percent have moderate-to-severe symptoms of
4 depression.

5 Dr. Dunham also reported that medical students
6 are more likely than their peers, who are not in
7 medical schools, to seriously consider suicide but
8 less likely to seek mental help with only 22 percent
9 of medical students seeking help for depression and
10 only 42 percent seeking help for suicidal ideation.

11 Dr. Dunham noted medical residents report stress
12 and burnout; and physicians often feel isolated, do
13 not take care of themselves, and may start prescribing
14 antidepressants or anxiolytics or use other avenues,
15 such as substance abuse, gambling, and retail therapy.

16 Dr. Dunham noted that prior to the pandemic the
17 suicide rate among male physicians was 40 percent
18 higher than men in the general population and 130
19 percent higher in female physicians than the general
20 population. She stated every year 300 to 400
21 physicians and medical students die by suicide.

22 Dr. Dunham addressed barriers and stigma related
23 to mental illness for medical professionals. She
24 reported that 30 percent of first- and second-year
25 medical students do not use mental health services for

1 fear of stigma, and many medical professionals will go
2 out of town to get the help and also pay cash for
3 mental health treatment rather than having a record on
4 their insurance database.

5 Dr. Dunham stated the fear disclosure is not
6 unwarranted because medical students, who have used
7 psychiatric services, have reduced prospects for
8 residency placements. She also reported that
9 practicing physicians who disclose a history of
10 psychiatric disorders or counseling have had
11 discrimination in hospital privileges, health
12 insurance, and malpractice insurance.

13 Dr. Dunham mentioned that there are still medical
14 licensure questions about psychiatric illness on
15 applications and renewal forms in 2021 and vary
16 depending on the state.

17 Dr. Dunham addressed grading in terms of mental
18 health questions asked on various licensure questions,
19 noting Pennsylvania is an "A" and means there are no
20 mental health questions or maybe there is one or two
21 straightforward current impairment questions that do
22 not mention mental health.

23 Dr. Dunham noted that the American Psychiatric
24 Association (APA) stand with Pennsylvania and have a
25 2015 position statement recommending medical licensing

1 bodies not ask applicants about past diagnosis and
2 treatment of mental disorders. She mentioned that the
3 American Medical Association (AMA) in 2009 also
4 proposed a resolution against medical licensing
5 bodies' questions about past mental illness and was
6 approved with wide support.

7 Dr. Dunham also noted the Federation of State
8 Medical Boards state that there should not be any
9 questions about treatment or diagnosis of illnesses
10 but is not mandated and still up to each state to
11 decide.

12 Dr. Dunham explained that the Pennsylvania State
13 Board of Medicine could help the future of physicians
14 by emphasizing the importance of physician health,
15 self-care, and treatment seeking for all health
16 conditions on the medical licensing applications,
17 state Board website, and other official Board
18 communication.

19 Dr. Dunham mentioned that clarifying both in
20 print and online that an investigation is not the same
21 as a disciplinary undertaking, basically trying to
22 remove the stigma is important. She noted the need to
23 continue to examine the policies and procedures when a
24 physician is impaired to protect the public but also
25 to help and not hurt the physician in need of

1 treatment.

2 Dr. Dunham mentioned the importance of being
3 aware of the potential burden any type of
4 investigation or disciplinary undertaking places on
5 the license by new or redundant regulatory
6 requirements.

7 Chair Woodland commented that the stressors of
8 the pandemic have only increased these issues and
9 thanked Dr. Hall and Dr. Dunham for the presentation
10 and is glad Pennsylvania is an "A" state and doing the
11 correct thing on the application process.

12 Dr. Silver noted being a former OB/GYN and
13 currently a practicing psychiatrist. She stated
14 mental health illness amongst health care providers is
15 not something to be ignored and is quite prevalent.
16 She referred to a book called *Physician Suicide*
17 *Letters* that talks about notes from physicians who
18 discuss their despair. She mentioned that oftentimes
19 they go unnoticed, because there is not a good
20 understanding or good avenues for physicians to seek
21 help without the negative consequences.

22 Chair Woodland commented that the numbers are
23 staggering being almost equivalent to two complete
24 classes of graduating students every year. He noted
25 the stigmata applied to mental health and people lying

1 on questions, which is not what they want in their
2 providers either. He commented that one of the big
3 pushes from the federation is that they actually start
4 to more proactively, at state board levels, start to
5 address mental health issues and wellness issues on a
6 bigger scale.

7 Commissioner Johnson suggested the presenters
8 provide a link to the information to be shared as part
9 of their minutes or on our Board page.

10 Dr. Dunham noted the full presentation in the
11 references with links to many of the statistics.

12 Ms. Zerbe offered to also include the
13 presentation under the minutes from the meeting.

14 Chair Woodland again mentioned the importance of
15 raising awareness to the public and addressing the
16 issue because of the provider shortage.]

17 ***

18 Report of Commissioner

19 [K. Kalonji Johnson, Commissioner, Bureau of
20 Professional and Occupational Affairs, noted
21 continuing to operate on the virtual platform through
22 March 31, 2022. He mentioned movement yesterday on
23 pending legislation regarding providing virtual
24 attendance to satisfy quorum requirements. He also
25 noted working to ensure the technology adequately

1 reflects the new paradigm and will keep the Board
2 apprised as they move through the first quarter of
3 2022.

4 Commissioner Johnson reminded everyone to update
5 their commonwealth username and password every 90 days
6 because the department will be relying on them in
7 greater detail with respect to Board travel through
8 the Commonwealth Out-of-State Travel Application
9 (COSTA) portal.

10 Commissioner Johnson wished everyone a happy
11 holiday season and peaceful and restful new year.

12 Chair Woodland asked whether voting on the
13 motions be done electronically sometime in the
14 future.]

15

16 Report of Department of Health

17 [Denise A. Johnson, M.D., Physician General,

18 Department of Health, provided a COVID-19 update

19 utilizing data from Monday showing close to 25,000

20 cases over the weekend. She noted averaging 8,279

21 cases per day and a total of 1,843,137 cases. She

22 reported hospitalizations are up with 4,501 patients

23 being hospitalized and 34,618 deaths.

24 Dr. Johnson reported seeing more respiratory

25 illnesses and hospitals being stressed, coupled with

1 staff from shortages and people out on quarantine.
2 She noted adult and pediatric ICU capacity is
3 somewhere between 11 and 15 percent. She stated
4 hospitals have been meeting and working
5 collaboratively with the Department of Health,
6 Governor Wolf, legislators have continued to meet on
7 the vaccine task force facilitating vaccinations.

8 Dr. Johnson mentioned averaging 56,000 vaccines a
9 day with over 70 percent of Pennsylvania adults fully
10 vaccinated. She also mentioned over 300,000 pediatric
11 doses administered since November 2 and around 1.9
12 million booster doses. She informed everyone that
13 anyone 5 years old or older is eligible for the
14 vaccine and anyone 16 or older is eligible for the
15 booster.

16 Dr. Johnson noted the CDC's Health Alert Network
17 (HAN) issued a health alert on COVID-19 vaccinations
18 in pregnancy in September. It was noted that pregnant
19 people are more severely impacted with COVID and have
20 seen increased deaths. She noted 22 deaths in August
21 and reported an increase in stillbirths as well as
22 preterm deliveries. She noted working on educating
23 people that the vaccine is safe and effective in
24 pregnancy and can significantly improve the outcome.

25 Dr. Johnson addressed the Omicron variant, noting

1 it to be in most states and is taking over because it
2 has such high transmissibility. She reported about 40
3 percent of sequenced variants in the United Kingdom
4 (UK) were Omicron.

5 Dr. Johnson noted continuing to get the word out,
6 helping people get vaccinated, and making sure they
7 are collaborating with schools and community groups
8 with pop-up clinics. She mentioned a lot of
9 pharmacies are having pediatric or family clinics.
10 She reported making people aware of other treatments
11 available, especially monoclonal antibodies but
12 infusion sites are having difficulties getting enough
13 staffing to have those available.

14 Dr. Johnson noted closely watching the approval
15 process for the new oral antivirals that should be
16 coming online and will be updating information as soon
17 as it is available.

18 Dr. Johnson informed everybody that there is a
19 critical blood shortage and requested those in good
20 health to donate blood.

21 Dr. Johnson reported an increase in flu rates
22 over last year and reminded everyone to get their flu
23 vaccine, COVID vaccine, and booster.

24 Chair Woodland asked Dr. Johnson for an update on
25 opioid use disorder and gun violence.

1 Dr. Johnson commented that Pennsylvania did a lot
2 of work on the opioid epidemic, but the pandemic has
3 really set things back tremendously. She noted people
4 have more mental health issues that can cause them to
5 self-medicate and a lot of stressors and difficulty in
6 terms of accessing services.

7 Dr. Johnson reported a lot more fentanyl in the
8 drugs that are used, not only in opioids but also
9 contaminating stimulants as well. She also reported
10 an increase in stimulants as well as other drug use
11 that has gone up tremendously. She also noted seeing
12 a wider demographic, especially in African Americans
13 and Hispanics in this past year that is skyrocketing.

14 Dr. Johnson mentioned that gun violence is a
15 priority for the governor and the administration and
16 noted an uptick in violence. She noted continuing to
17 work on getting all groups to agree on some priorities
18 to move forward.]

19 ***

20 Report of Committee on Health-Related Professionals
21 and Review

22 [Donald M. Yealy, M.D., noted that the committee
23 continues to work together on specific health-related
24 professional questions that come across the Board and
25 to provide input and guidance to the legislative arm

1 when they are being considered. He noted the
2 commonwealth is modernizing its approach to health-
3 related professions in how they certify licenses.

4 Chair Woodland mentioned the expansion of the
5 Board with a permanent seat for a physician assistant
6 and another physician.]

7 ***
8 Report of Committee on Legislation/Policy Development
9 and Review

10 [Donald M. Yealy, M.D., noted the committee provided
11 input on some recent legislation being considered by
12 the commonwealth but noted their role is distinctly
13 different from the actual creation of it and are just
14 providing feedback on a variety of actions.]

15 ***
16 Report of Committee on Licensure Qualifications - No
17 Report

18 ***
19 Report of Vice Chair - No Report

20 ***
21 Report of Board Chair
22 [Mark B. Woodland, M.S., M.D., Chair, informed
23 everybody that the COVID Task Force is still up and
24 running and working diligently.

25 Chair Woodland mentioned referencing the

1 Association of American Medical Colleges (AAMC)
2 workforce data on information regarding future
3 provider workforce. He noted the importance of
4 focusing on the state to consistently keep good
5 trainees because of the potential workforce projected
6 shortage in the future. He discussed recent data on
7 physician retention in state of residency training,
8 noting Pennsylvania ranks at about 50 percent.

9 Chair Woodland mentioned Mr. Dillon approached
10 him regarding attending the Federation of State
11 Medical Boards Annual Meeting in New Orleans in April,
12 noting there would be further discussion about that
13 and determining delegates in the future.

14 Chair Woodland again referred to the current
15 stressors on the hospital system and the emphasis on
16 telehealth by the Federation of State Medical Boards
17 and how telehealth is being used, noting it will
18 affect them in the future regarding state boundaries
19 and licensure and other issues.

20 Chair Woodland addressed the impact of COVID on
21 surgical subspecialties. He stated the first thing
22 they did was buckle down on personal protective
23 equipment (PPE) when COVID hit, which limited their
24 PPE utilization on elective surgical procedures. He
25 mentioned that the bigger issue now is with the

1 current staffing structure in the areas of surgery,
2 respiratory therapy, and all over the hospital from a
3 standpoint that COVID has put a stressor on that.

4 Chair Woodland asked everyone thank first-line
5 providers in health care for their services and
6 encourage them to stay in health care.]

7 ***

8 Report of Board Counsel

9 [Dana M. Wucinski, Esquire, Board Counsel, referred to
10 House Bill 1862 regarding institutional licenses. She
11 stated the bill is consistent with the request of the
12 Pennsylvania Medical Society (PAMED) that was on the
13 agenda a couple meetings ago, along with The Hospital
14 and Healthsystem Association of Pennsylvania (HAP),
15 requesting the Board make permanent the temporary
16 COVID waiver allowing holders of institutional
17 licenses to practice in more affiliated facilities.

18 Ms. Walter commented that the bill is meant to
19 help with hospital shortages throughout the state,
20 noting regulations would have to be amended if the
21 bill passes.

22 Ms. Wucinski addressed House Bill 1956 regarding
23 anesthesiologist assistants. She stated the bill
24 would create licensure for anesthesiologist assistants
25 who are currently not licensed in Pennsylvania and

1 outlines the education, training, and scope of
2 practice for the license.

3 Chair Woodland mentioned that he presented the
4 bill to their chair of anesthesiology for an opinion,
5 where the entire department, almost universally, said
6 they need a further breadth of service providers for
7 anesthesia, and it would be very helpful.

8 Ms. Walter referred to Senate Bill 762 regarding
9 the Medical Care Availability and Reduction of Error
10 (MCARE) Act concerning an enhanced informed consent
11 for breast implant patients.

12 Ms. Walter addressed the Physician Assistant
13 Modernization Act. She noted Act 79 of 2021 will
14 increase Board members by one physician assistant and
15 one physician, supervision does not require onsite
16 presence for personal direction, and chart review
17 requirements have changed. She also noted that the
18 supervising physician would now determine
19 countersignature requirements except in certain
20 circumstances.

21 Ms. Walter mentioned that there is specific
22 authorization in the Act for delegates to submit a
23 written agreement on behalf of a physician and
24 physician assistant, unlike in the prior provision in
25 the Medical Practice Act, where written agreements are

1 now effective upon submission. She noted provisions
2 for the Board to review 10 percent of all written
3 agreements submitted to the Board and the Board office
4 has executed the review process as required in the
5 Act.

6 Chair Woodland commented that the breast implant
7 bill is really a mirror of the Food and Drug
8 Administration (FDA) recommendations regarding breast
9 implants and is updating old news.

10 Ms. Walter referred to Senate Bill 923 regarding
11 the prohibition on telemedicine for certain
12 medications on the list kept by the FDA, including
13 Suboxone and other medications for treatment and areas
14 of health care.

15 Dr. Johnson mentioned the importance of being
16 flexible in terms of treatment with the opioid
17 epidemic. She referred to Suboxone being on the list,
18 also noting the importance of expanding options for
19 patients, especially in hard-to-reach areas.

20 Chair Woodland agreed with Dr. Johnson and noted
21 being cautious about unintended consequences and being
22 very careful about access to care and too vague on
23 things providers use to reach people, especially with
24 the issues of mental health and substance use
25 disorders.]

1 ***

2 For the Board's Information/Discussion - Old/New
3 Business - Election of Officers for 2022

4 DR. DOMEN:

5 Looking at the chair position, do we
6 have a nomination?

7 MR. DILLON:

8 I would like to nominate Dr. Woodland
9 for the chair position for another year.

10 DR. YEALY:

11 I second that.

12 DR. DOMEN:

13 We have a first and we have a second.
14 Any other discussion concerning that
15 motion? If not, all in favor, say yea.
16 All opposed, say nay. Any abstentions
17 or recusals? The motion passes.
18 Congratulations.

19 [The motion carried unanimously.]

20 ***

21 [Ronald E. Domen, M.D., Vice Chair, announced that his
22 position as vice chair is coming open because he will
23 be leaving the Board in March and wanted to have
24 somebody in the position as of January 1.

25 Chair Woodland referred to comments from Mr.

1 Eisenhauer expressing deep appreciation for Dr. Domen
2 over the years and thanked Dr. Domen for his support
3 and service to the Board.

4 CHAIR WOODLAND:

5 I would like to nominate Dr. Yealy for
6 the position of vice chair.

7 DR. DOMEN:

8 So moved.

9 DR. SILVER:

10 I second.

11 CHAIR WOODLAND:

12 Any further discussion on this one? All
13 those in favor, say yea. Any nays? Any
14 abstentions or recusals?

15 Congratulations.

16 [The motion carried unanimously.]

17 ***

18 For the Board's Information/Discussion - Board
19 Committee List

20 [Mark B. Woodland, M.S., M.D., Chair, addressed
21 committee assignments, noting the Committee on Health-
22 Related Professionals will be led by Mr. Eisenhauer,
23 along with Dr. Yealy; the Committee on
24 Legislation/Policy Development and Review will be led
25 by Dr. Silver; and the Committee on Licensure

1 Qualifications will hopefully be taken over by Mr.
2 Dillon.]

3 CHAIR WOODLAND:

4 All in favor of those appointments for
5 the committee chairs, say yea. Any
6 opposition, say nay. Any abstentions or
7 recusals? Hearing none. I think we
8 could move all those through.

9 [The motion carried unanimously.]

10 ***

11 For the Board's Information/Discussion - Board Meeting
12 Dates

13 [Mark B. Woodland, M.S., M.D., Chair, noted 2022 Board
14 meeting dates are February 1, March 15, April 19, May
15 24, June 22, July 26, September 13, October 25, and
16 December 13.]

17 CHAIR WOODLAND:

18 Any discussion on those dates? All
19 those in favor say yea. Any opposed,
20 say nay. Any abstentions or recusals?
21 Hearing none. We will put those in
22 place.

23 [The motion carried unanimously.]

24 ***

25 For the Board's Information/Discussion - Old/New

1 Business

2 [Suzanne Zerbe, Board Administrator, noted the
3 quarterly FSMB update on the United States Medical
4 Licensing Examination (USMLE) was carried over from
5 the October 2021 meeting for the Board's review.

6 Ms. Zerbe informed the Board that a Probable
7 Cause Screening Committee change is needed because Dr.
8 Domen is on that committee. She mentioned that Dr.
9 Silver is listed as an alternate but could be made the
10 primary for now, and Dr. Silver agreed.

11 Ms. Hunter noted 2023 Board meeting dates are
12 February 7, March 7, April 18, May 23, June 20, July
13 18, September 12, October 24, and December 12.]

14 CHAIR WOODLAND:

15 Do I have a motion to approve those
16 dates?

17 MR. DILLON:

18 So moved.

19 DR. YEALY:

20 Second.

21 CHAIR WOODLAND:

22 Any further discussion on those dates?
23 Hearing none. All those in favor, say
24 yea. Any opposed, nay? Any abstentions
25 or recusals?

1 [The motion carried unanimously.]

2

3 Public Comment

4 [Susan DeSantis, PA-C, Pennsylvania Society of
5 Physician Assistants, mentioned working over the last
6 two months to keep their physician assistants (PAs) up
7 to date in terms of changes that occurred with Act 78
8 and Act 79. She noted issues with technology and
9 using the online platform with the written agreement,
10 which was in place from April with the language that
11 was accurate for April but not accurate after the
12 change. The online Written Agreement Change Form is
13 currently online, which is identical to the previous
14 past paper version that is not reflective of the Act.

15 Ms. DeSantis further explained that individuals
16 are uncertain on how to complete the form to reflect
17 what they are doing as a new start or when they are
18 going to change because of the way the form is
19 structured, where you have to do 100 percent every 10
20 days and if you are out of school for a year or have
21 the same specialty for a year, it does not give a way
22 to reflect that.

23 Ms. Walter commented that an update to the
24 Pennsylvania Licensing System (PALS) regardless of the
25 implementation of Act 78 and Act 79 is going to be

1 limited or may not be able to occur at all because
2 they are currently looking at another system for
3 licensing.

4 She noted that any physician assistants who have
5 any questions on how to complete a form that reflects
6 the prior version of the Medical Practice Act and how
7 to reconcile that with the current version may contact
8 Ms. Zerbe and her staff as well as her and Dana. She
9 also offered to engage in additional discussions about
10 the Written Agreement Change Form and what they can do
11 given the technology.

12 Ms. DeSantis further explained that in a
13 facility, they are looking at modifying their
14 electronic medical record (EMRs) so the PAs are not
15 required to have 100 percent of their charts forwarded
16 to the physicians and changing their bylaws and
17 looking at information technology (IT) changes, but
18 when they hire a new person, they open the Written
19 Agreement Form, get to the countersignature section,
20 it only gives them the choice to say that 100 percent
21 of their charts will be countersigned in 10 days, but
22 in that particular facility for that particular
23 physician and PA relationship, they are looking to
24 make a reduction, which was approved in Act 79, but
25 they cannot because of the form.

1 Ms. DeSantis is investigating ways for those
2 individuals to be able to tell you they are looking to
3 reduce this even though the PALS form is blocking that
4 out as a choice. She asked how can they tell you,
5 whether it is the change form and follow up or can
6 they do that as an addendum as a second attachment to
7 the original written agreement.

8 Ms. DeSantis addressed PAs being in a situation
9 where they are only having 10 percent of their charts
10 signed instead of 100 percent. She noted they are
11 brought before the Board if there is an issue for a
12 review, questioning why they do not have all of their
13 charts signed, because your written agreement says
14 that you are supposed to and they are saying Act 79
15 said I could reduce this but tried to reduce it but
16 could not tell you that in PALS.

17 Ms. DeSantis noted understanding PALS is a
18 problem and going to a new system but is just trying
19 to help the PAs on how to answer that question.

20 Commissioner Johnson recommended providing more
21 information and allowing them to do the job they are
22 entrusted to do within the scope of the existing
23 statutory parameters that have been laid out. He
24 suggested being creative in how she communicates the
25 information to them and they are going to have to be

1 equally creative in the way they pull that information
2 out of the documents provided and they will make it
3 work until they get to the new system where this will
4 not be an issue.

5 Commissioner Johnson noted a comment from Ms.
6 Marshall in chat with respect to that conversation and
7 questions about the informational webinar.

8 Commissioner Johnson commented that when they
9 engage in the actual request for proposal (RFP)
10 process that it will be a public process, and there
11 will be opportunities to engage stakeholders. He
12 stated that they fully intend to engage all
13 stakeholders with respect to not only informing them
14 of the RFP process but making sure they are working
15 with them to develop a new platform that is intuitive
16 and easily communicative with respect to individuals
17 across all 29 boards and commissions.

18 Chair Woodland thanked everyone for their help
19 and assistance over the last year. He noted looking
20 forward to seeing everybody in the New Year and wished
21 everybody a happy holiday season.]

22 ***

23 Adjournment

24 CHAIR WOODLAND:

25 Do I need a motion to end the meeting?

1 MS. WALTER:

2 Motion to adjourn.

3 CHAIR WOODLAND:

4 Do I have a second?

5 DR. SILVER:

6 Second.

7 CHAIR WOODLAND:

8 All in favor, yea? Any opposed, nay?

9 [The motion carried unanimously.]

10 ***

11 [There being no other business, the State Board of
12 Medicine Meeting adjourned at 12:19 p.m.]

13 ***

14

15

16

17

18

19

20

21

22

23

24

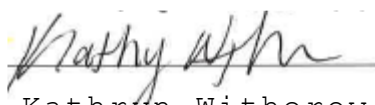
25

26

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

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.



Kathryn Witherow,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MEDICINE
REFERENCE INDEX

December 14, 2021

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	8:45	Executive Session
10	10:36	Return to Open Session
11		
12	10:36	Official Call to Order
13		
14	10:37	Introduction of Attendees
15		
16	10:40	Approval of Minutes
17		
18	10:41	Report of Prosecution Division
19		
20	10:41	Motions
21		
22	11:01	Appointment - Pennsylvania College of
23		Emergency Physicians - Licensure
24		Discussion and Mental Health
25		Presentation
26		
27	11:23	Report of Commissioner
28		
29	11:26	Report of Department of Health
30		
31	11:39	Report of Committee on Health-Related
32		Professionals
33		
34	11:39	Report of Committee on Legislation/ Policy Development Review
35		
36		
37	11:39	Report of Board Chair
38		
39	11:43	Report of Board Counsel
40		
41	11:50	For the Board's Information/Discussion
42		
43	12:03	Public Comment
44		
45	12:19	Adjournment
46		
47		
48		
49		
50		