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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 OSTEOPATHIC MEDICINE

TIME: 9:28 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Wednesday, February 14, 2018

1 State Board of Osteopathic Medicine
2 February 14, 2018
3
4

5 BOARD MEMBERS:
6

7 Randy G. Litman, D.O., Chairman
8 Ian J. Harlow, Commissioner of Professional and
9 Occupational Affairs
10 William B. Swallow, D.O., Vice Chairman
11 Burton T. Mark, D.O., Secretary
12 Arlene G. Seid, M.D., M.P.H., Medical Director of
13 Quality Assurance, Department of Health on behalf
14 of Rachel L. Levine, M.D., Physician General
15 John B. Bulger, D.O.
16 David A. Palmer, C.C.P., L.P. - Absent
17 Frank M. Tursi, D.O.
18
19

20 BUREAU PERSONNEL:
21

22 Wesley J. Rish, Esquire, Board Counsel
23 Kenneth J. Suter, Esquire, Board Counsel
24 Anita P. Shekletski, Esquire, Board Prosecution
25 Liaison
26 Aaron Hollinger, Board Administrator
27 Tara J. Smith, Esquire, Board Prosecutor
28
29 Kimberly A. Mattis, Director, Bureau of Finance and
30 Operations
31 Kimberly Adams, Chief of Fiscal Management, Bureau of
32 Finance and Operations
33 Julie Snader, Deputy Director, Bureau of Finance and
34 Operations
35
36

37 ALSO PRESENT:
38

39 Kelsey Voigt, Pennsylvania Athletic Trainers' Society
40 Diana M. Ewert, Chief Executive Officer, Pennsylvania
41 Osteopathic Medical Association
42 Susan DeSantis, PA-C, Pennsylvania Society of
43 Physician Assistants
44 Brenda R. Dill, Director, Communications and
45 Education, Pennsylvania Osteopathic Medical
46 Association
47 Mary Marshall, Director, Workforce & Professional
48 Services, The Hospital and Healthsystem Association
49 of Pennsylvania
50

1 ***

2 State Board of Osteopathic Medicine

3 February 14, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Osteopathic Medicine was held on Wednesday,
7 February 14, 2018. Randy G. Litman, D.O., Chairman,
8 called the meeting to order at 9:28 a.m.

9 ***

10 Approval of Minutes of the December 13, 2017 meeting

11 CHAIRMAN LITMAN:

12 I call for a motion to approve the
13 minutes from the December 13 meeting.

14 DR. SWALLOW:

15 So moved.

16 DR. MARK:

17 Second.

18 CHAIRMAN LITMAN:

19 All in favor?

20 [The motion carried unanimously.]

21 ***

22 [Chairman Litman welcomed and thanked Dr. Tursi.]

23 ***

24 Report of Prosecutorial Division

25 [Anita P. Shekletski, Esquire, Board Prosecution

1 Liaison, on behalf of Keith E. Bashore, Esquire, Board
2 Prosecutor, presented a Consent Agreement for File No.
3 17-53-00517.]

4 ***
5 [Tara J. Smith, Esquire, Board Prosecutor, presented a
6 Consent Agreement for File No. 17-53-07008.]

7 ***
8 Report of Board Counsel
9 [Wesley J. Rish, Esquire, Board Counsel, noted items
10 for discussion during Executive Session.

11 Mr. Rish referred to the annual Recusal
12 Guidelines instructions and the Pennsylvania Sunshine
13 Act for future reference. Dr. Seid questioned the 10-
14 day Sunshine Act public notification. Mr. Rish stated
15 all meetings are advertised at the beginning of the
16 year and proper notice of changes are issued.]

17 ***
18 Report of Regulatory Counsel - No Report

19 ***
20 Report of Board Chairman - No Report

21 ***
22 Report of Vice Chairman - No Report

23 ***
24 Report of Commissioner
25 [Ian J. Harlow, Commissioner of Professional and

1 Occupational Affairs, updated the Board regarding the
2 Pennsylvania Licensing System (PALS) Project Status.

3 Commissioner Harlow provided statistics on the
4 use of the system as of February 1, 2018. He stated
5 close to \$18 million in revenue was generated using
6 PALS. He noted the system was functional, but that
7 Mr. Hollinger also performs user acceptance testing
8 for issues or enhancements.

9 Commissioner Harlow stated the system should be
10 100 percent in PALS with not only the Bureau of
11 Professional and Occupational Affairs (BPOA) with
12 licensure but with legal, Professional Health
13 Monitoring Program (PHMP), and then the Bureau of
14 Enforcement and Investigation (BEI) by June.

15 Commissioner Harlow explained renewing or
16 creating a new licensure account. He noted various
17 tabs, including continuing education.

18 Commissioner Harlow asked Board members to allow
19 at least 10 business days for CE providers to report.
20 He addressed Act 126 regarding pain management and the
21 development of a curriculum accessible through PALS.
22 He stated that courses taken online on the topic of
23 pain management would be accepted, as long as the
24 Board approved such a course, and such courses are
25 subject to an audit through PALS.

1 Mr. Hollinger informed the Board that courses
2 other than those by Board-approved child abuse CE
3 providers are not recommended, endorsed, or listed.

4 Commissioner Harlow discussed the first committee
5 meeting for Executive Order 2017-03. He noted the
6 partnership with St. Francis University, who is
7 performing the analysis of approximately 45 of the 135
8 professions across all the jurisdictions.

9 Commissioner Harlow noted updates along with the
10 meeting minutes will be provided to Board members once
11 a month.]

12 ***

13 Appointment - Osteopathic Medicine Budget Review
14 Presentation

15 [Julie Snader, Deputy Director, Bureau of Finance and
16 Operations, introduced herself and Kimberly Adams,
17 Chief of Fiscal Management.

18 Ms. Snader provided information on the Board's
19 licensee population, which was 11,714 for Fiscal Year
20 2017-2018.

21 Ms. Snader addressed revenue sources, noting that
22 renewals and applications make up 96 percent of the
23 revenue. She referred to Fiscal Year 2015-2016 and
24 Fiscal Year 2016-2017 biennial totals.

25 Ms. Snader stated that expenses are incurred from

1 direct charges, timesheet charges, and license-based
2 charges. Ms. Snader reviewed expenses for Fiscal Year
3 2015-2016, Fiscal Year 2016-2017, and Fiscal Year
4 2017-2018.

5 Ms. Snader reviewed revenue and expenses showing
6 Fiscal Year 2015-2016 balance, Fiscal Year 2016-2017
7 balance, and budgeted amount for Fiscal Year 2017-
8 2018. She also noted the projected amount for Fiscal
9 Year 2018-2019, Fiscal Year 2019-2020, and Fiscal Year
10 2020-2021 with a positive balance including the
11 implemented fee increase approved in August 2016.

12 Commissioner Harlow noted a concern regarding the
13 Board if the fee package was not implemented in time.

14 Ms. Mattis stated that if the fee package was not
15 implemented in the next renewal cycle, the Board could
16 risk going into the red.

17 Ms. Snader discussed the Board member budget and
18 expenses for Fiscal Year 2015-2016 and Fiscal Year
19 2016-2017 with a Fiscal Year 2017-2018 budgeted
20 amount, noting expenses for Fiscal Year 2017-2018.
21 Ms. Snader also reviewed Fiscal Year 2018-2019,
22 maintaining the budgeted amount.]

23

24 Report of the Department of Health - No Report

25

1 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
2 9:55 a.m. the Board entered into Executive Session
3 with Wesley J. Rish, Esquire, Board Counsel, and
4 Kenneth J. Suter, 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 10:43 a.m.]

8 ***

9 MOTIONS

10 MR. SUTER:

11 The Board did break for Executive
12 Session. The purpose of the Executive
13 Session was for quasi-judicial
14 discussions, and based upon those
15 discussions, there will be several
16 motions made.

17 The first motion is for acceptance
18 of Item No. 3 on the agenda, which is
19 File No. 17-53-00517. The Board is
20 proposing a motion to accept this
21 Consent Agreement.

22 DR. SWALLOW:

23 Motion to approve.

24 DR. TURSI:

25 Second.

1 CHAIRMAN LITMAN:

2 All in favor?

3 [The motion carried unanimously. That was File No.
4 17-53-00517. The Respondent's name is Terry J.
5 McAnallen, D.O.]

6 ***

7 MR. RISH:

8 The next matter was Item No. 4 on the
9 Board's agenda. It's File No. 17-53-
10 07008.

11 Based upon discussions in Executive
12 Session, I would recommend a motion
13 approving the Consent Agreement and
14 Order.

15 DR. SEID:

16 So moved.

17 DR. MARK:

18 Second.

19 CHAIRMAN LITMAN:

20 All in favor?

21 [The motion carried unanimously. That matter involved
22 Vinson Michael DiSanto, D.O.]

23 ***

24 MR. RISH:

25 The next matter is Item No. 5 on the

1 Board's agenda. It's File No. 17-53-
2 10872 in the matter of the Petition for
3 Reinstatement of the License to Practice
4 Osteopathic Medicine and Surgery of
5 Anthony M. Letizio, D.O.

6 Based upon discussions in Executive
7 Session, I would recommend a motion
8 approving the Hearing Examiner's
9 Proposed Adjudication and Order as the
10 final order of the Board.

11 CHAIRMAN LITMAN:

12 Motion to approve?

13 DR. SWALLOW:

14 Motion.

15 DR. TURSI:

16 Second.

17 CHAIRMAN LITMAN:

18 All in favor?

19 [The motion carried unanimously.]

20 ***

21 MR. RISH:

22 The next matter was Item No. 6. It's
23 File No. 15-53-10179, the Commonwealth
24 versus Jill Suzanne Harlan, PA-C.

25 Based upon discussions in Executive

1 Session, I would recommend a motion
2 approving the final Adjudication and
3 Order.

4 DR. SWALLOW:

5 So moved.

6 DR. SEID:

7 Second.

8 CHAIRMAN LITMAN:

9 All in favor?

10 [The motion carried unanimously.]

11 ***

12 MR. RISH:

13 The next matter is Item No. 7 on the
14 Board's agenda. It's File No. 15-53-
15 11253, the Commonwealth versus Michelle
16 Lynn Stewart, D.O.

17 Based upon discussions in Executive
18 Session, I would recommend a motion
19 approving the final Adjudication and
20 Order as amended.

21 DR. SWALLOW:

22 So moved as amended.

23 DR. MARK:

24 Second.

25 CHAIRMAN LITMAN:

1 All in favor?

2 [The motion carried unanimously.]

3 ***

4 MR. SUTER:

5 The next matter is Item No. 10 on the
6 agenda. It's an application for Felipe
7 V. Orellana, D.O. I'd recommend a
8 motion to issue a letter of concern from
9 the Board for this application.

10 DR. SWALLOW:

11 So moved.

12 DR. MARK:

13 Second.

14 CHAIRMAN LITMAN:

15 All in favor?

16 [The motion carried unanimously.]

17 ***

18 MR. RISH:

19 The next matter is Item No. 11. It's
20 the Application for an Unrestricted
21 License of Djuna Denise Jones, D.O.

22 Based upon discussions in Executive
23 Session, I would recommend a motion
24 approving the application.

25 DR. SWALLOW:

1 So moved.

2 DR. MARK:

3 Second.

4 CHAIRMAN LITMAN:

5 All in favor?

6 [The motion carried unanimously.]

7 ***

8 MR. RISH:

9 The next matter was Item No. 12. It's
10 the Application for a Written Agreement
11 Deviation of Timothy James Lilly, D.O.

12 Based upon discussions in Executive
13 Session, I would recommend a motion
14 denying the application.

15 DR. SWALLOW:

16 So moved.

17 DR. TURSI:

18 Second.

19 CHAIRMAN LITMAN:

20 All in favor?

21 [The motion carried unanimously.]

22 ***

23 Old Business/New Business

24 [Mr. Tursi discussed confusion regarding acceptable
25 licensure requirement hours and suggested a

1 Pennsylvania Osteopathic Medical Association
2 newsletter.

3 Mr. Hollinger informed the Board that continuing
4 education requirement fact sheets for all professions
5 can be found on the Board's website. He also noted
6 the need for updates of the new opioid requirements.

7 Chairman Litman suggested forwarding an updated
8 link to the website. Mr. Hollinger stated the link
9 provides approved child abuse course sites.

10 Dr. Seid informed the Board that the Pennsylvania
11 Medical Society (PAMED) has a list of opioid courses,
12 but membership is required.

13 Mr. Hollinger noted that information regarding
14 issues with the current eAgenda software has been
15 forward to the IT department for review.

16 Commissioner Harlow informed the Board that the
17 current version of eAgenda will no longer be used to
18 link to PALS.

19 Commissioner Harlow addressed agency
20 consolidation at the state level, noting that Labor &
21 Industry does not consider Board members to be part-
22 time employees, which would exclude Board members from
23 being subjected to the same requirements as a
24 Commonwealth employee.]

25

1 Next Meeting Date

2 [Chairman Litman noted the next meeting date as April
3 11, 2018.]

4 ***

5 Adjournment

6 CHAIRMAN LITMAN:

7 Do I have a call for adjournment?

8 DR. SEID:

9 I move.

10 DR. TURSI:

11 Second.

12 CHAIRMAN LITMAN:

13 Adjourned. Thank you very much.

14 [The motion carried unanimously.]

15 ***

16 [There being no further business, the State Board of
17 Osteopathic Medicine Meeting adjourned at 10:53 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Osteopathic 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 Osteopathic Medicine meeting.



Adam Beck,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF OSTEOPATHIC MEDICINE
REFERENCE INDEX
February 14, 2018

	TIME	AGENDA
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2		
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6		
7	9:28	Official Call to Order
8		
9	9:28	Approval of Minutes
10		
11	9:28	Report of Prosecutorial Division
12		
13	9:30	Report of Board Counsel
14		
15	9:38	Report of Commissioner
16		
17	9:44	Appointment - Osteopathic Medicine
18		Budget Review Presentation
19		
20	9:55	Executive Session
21	10:43	Return to Open Session
22		
23	10:44	Motions
24		
25	11:50	Old Business/New Business
26		
27	10:53	Adjournment
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