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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

TELECONFERENCE

TIME: 9:32 A.M.

Wednesday, April 8, 2020

1 State Board of Osteopathic Medicine
2 April 8, 2020

3
4
5 BOARD MEMBERS:

6
7 Randy G. Litman, D.O., Chairman
8 K. Kalonji Johnson, Acting Commissioner, Bureau of
9 Professional and Occupational Affairs
10 Theodore Stauffer, Legal Assistant/Executive
11 Secretary, Bureau of Professional and
12 Occupational Affairs
13 Arlene G. Seid, M.D., M.P.H., Medical Director of
14 Quality Assurance, on behalf of Rachel Levine, M.D.,
15 Physician General/Secretary of Health
16 William B. Swallow, D.O., Vice Chairman
17 Burton T. Mark, D.O., Secretary
18 John B. Bulger, D.O.
19 Bette A. Grey, BA, RRT, CPFT
20 Christopher S. Poggi, D.O.
21 Frank M. Tursi, D.O.

22
23
24 BUREAU PERSONNEL:

25
26 Kenneth J. Suter, Esquire, Board Counsel
27 Anita Shekletski, Esquire, Board Prosecution Liaison
28 Keith Bashore, Esquire, Board Prosecutor
29 Adam Williams, Esquire, Board Prosecutor
30 Caroline DeLaurentis, Deputy Chief Counsel
31 Nathan Giunta, Esquire, Board Prosecutor
32 Adam Morris, Esquire, Board Prosecutor
33 Mark Zogby, Esquire, Board Prosecutor
34 Jason Anderson, Esquire, Board Prosecutor
35 Aaron Hollinger, Board Administrator

36
37
38 ALSO PRESENT:

39
40 Kerry E. Maloney, Esquire, Post & Shell
41 Mary Marshall, Director, Workforce & Professional
42 Services, The Hospital and Healthsystem
43 Association of Pennsylvania
44 Brenda Dill, Pennsylvania Osteopathic Medicine
45 Association (POMA)

1 ***

2 State Board of Osteopathic Medicine

3 April 8, 2020

4 ***

5 The regularly scheduled meeting of the State
6 Board of Osteopathic Medicine was held on Wednesday,
7 April 8, 2020 via teleconference. Randy G. Litman,
8 D.O., Chairman, called the meeting to order at 9:32
9 a.m.

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

13 ***

14 Approval of minutes of the February 12, 2020 meeting

15 CHAIRMAN LITMAN:

16 May I have an approval of the minutes
17 from February 12, 2020?

18 DR. TURSI:

19 Approve.

20 MS. GREY:

21 Second.

22 CHAIRMAN LITMAN:

23 All in favor?

24 [The motion carried unanimously.]

25 ***

1 Report of Prosecutorial Division

2 [Keith E. Bashore, Esquire, Board Prosecutor,
3 presented a Consent Agreement for File No. 18-53-
4 008319.]

5 ***

6 [Mark Burton, D.O. and John Bulger, D.O. exited the
7 teleconference for recusal purposes at 9:40 a.m.]

8 ***

9 [Keith E. Bashore, Esquire, Board Prosecutor,
10 presented a Consent Agreement for File No. 19-53-
11 003845.]

12 ***

13 [Mark Burton, D.O. and John Bulger, D.O. re-entered
14 the teleconference at 9:47 a.m.]

15 ***

16 Report of Board Counsel

17 [Kenneth J. Suter, Esquire, Board Counsel, noted items
18 for discussion during Executive Session.]

19 ***

20 Report of Regulatory Counsel - No Report.

21 ***

22 Report of Department of Health

23 [Arlene G. Seid, M.D., M.P.H., Medical Director of
24 Quality Assurance, on behalf of Rachel Levine, M.D.,
25 Physician General/Secretary of Health, Department of

1 Health, stated the Governor ordered all flags at half
2 mast in honor of the COVID-19 pandemic. To sign up
3 for information regarding the coronavirus and other
4 health issues, members were urged to sign up on the PA
5 Health Alert Network at Health.Pa.gov. She noted the
6 cases of COVID-19 have been identified in almost all
7 counties.]

8 ***

9 Report of Board Chair - No Report.

10 ***

11 Report of Board Vice Chair - No Report.

12 ***

13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
14 9:48 a.m. the Board entered into executive session
15 with Kenneth J. Suter, Esquire, Board Counsel, for the
16 purpose of conducting quasi-judicial deliberations and
17 to receive legal advice from Board Counsel. The Board
18 returned to open session at 10:43 a.m.]

19 ***

20 [K. Kalonji Johnson, Acting Commissioner, Bureau of
21 Professional and Occupational Affairs, entered the
22 meeting during Executive Session.]

23 ***

24 Report of Acting Commissioner

25 [K. Kalonji Johnson, Acting Commissioner, Bureau of

1 Professional and Occupational Affairs, thanked
2 everyone for their patience during this time of the
3 COVID-19 pandemic. He commended the Board
4 Administrators for accepting and processing
5 applications, as well as the Board members and staff
6 for their efforts during this emergency situation.

7 Acting Commissioner Johnson referred members to
8 information regarding COVID-19 in order to keep
9 apprised of the situation. There was further
10 discussion regarding the need to expand license and CE
11 renewal deadlines. Acting Commissioner Johnson
12 commented there should soon be an announcement
13 regarding that matter.

14 There was discussion regarding virtual contracts
15 and the Board's authority in that regard. Board
16 members were referred to information in their agenda
17 packets regarding waivers for further discussion.]

18 ***

19 MOTIONS

20 MR. SUTER:

21 The first item is No. 2 on the agenda,
22 it is a Consent Agreement for Case No.
23 18-53-008319. And I understand the
24 Board will entertain a motion to approve
25 this Consent Agreement.

1 DR. TURSI:

2 So moved.

3 DR. POGGI:

4 Second.

5 CHAIRMAN LITMAN:

6 All in favor?

7 [The motion carried unanimously. The Respondent's
8 name is Michael S. Cash, D.O.]

9 ***

10 MR. SUTER:

11 The second item is No. 3 on the agenda.
12 It is Case No. 19-53-003845. We have
13 some members recused from this, Dr. Mark
14 and Dr. Bulger.

15 I understand the Board would
16 entertain a motion to approve this
17 Consent Agreement.

18 DR. TURSI:

19 So moved.

20 DR. SWALLOW:

21 Second.

22 CHAIRMAN LITMAN:

23 All in favor?

24 [The motion carried. Dr. Mark and Dr. Bulger recused
25 from deliberations and voting on the motion. The

1 Respondent's name is Domenick Braccia, D.O.]

2 ***

3 MR. SUTER:

4 The third item on the agenda is Item No.
5 4. And I understand that the Board would
6 entertain a motion vacating the March 3,
7 2020 Memorandum Order of the Hearing
8 Examiner and also vacating the delegation
9 of the matter to the Hearing Examiner as
10 well as dismissing the Petition of the
11 Respondent as untimely.

12 DR. POGGI:

13 So moved.

14 DR. TURSI:

15 Second.

16 CHAIRMAN LITMAN:

17 All in favor?

18 [The motion carried unanimously.]

19 ***

20 MR. SUTER:

21 Next for consideration are the
22 applications listed at 6, 7, 8, and 9 on
23 the agenda.

24 We will collectively consider 6 and
25 7. They are the applications of James

1 DeAngelo for a Written Agreement Change
2 with two PAs. Both of these matters I
3 understand the Board would entertain a
4 motion to table.

5 DR. SWALLOW:

6 So moved.

7 DR. POGGI:

8 Second.

9 CHAIRMAN LITMAN:

10 All in favor?

11 [The motion carried unanimously.]

12 ***

13 MR. SUTER:

14 Next is another application, Item No. 8
15 on your agenda.

16 It is the application of Robert
17 Crossey, D.O. for a Written Agreement.
18 I understand the Board would entertain a
19 motion to reject this written agreement.

20 DR. POGGI:

21 So moved.

22 DR. TURSI:

23 Second.

24 CHAIRMAN LITMAN:

25 All in favor?

1 [The motion carried unanimously.]

2 ***

3 MR. SUTER:

4 Last is Item No. 9 on the agenda. It's
5 the Reconsideration of Richard Donze,
6 D.O.

7 I understand the Board will
8 entertain a motion to conditionally
9 approve this application provided that
10 Board Counsel and the Board
11 Administrator receive a response
12 consistent with the regulation in this
13 case.

14 DR. POGGI:

15 So moved.

16 DR. TURSI:

17 Second.

18 CHAIRMAN LITMAN:

19 All in favor?

20 [The motion carried unanimously.]

21 ***

22 MR. SUTER:

23 The purpose of Executive Session was to
24 discuss Items 2, 3, 4, 6, 7, 8, and 9 on
25 the agenda.

1 ***
2 Report of Board Administrator
3 [Aaron Hollinger, Board Administrator, reported there
4 were 5 to 7 short-term emergency licenses, 15
5 reactivations of licenses, and approximately 50 to 60
6 provisions for practitioners to assist in telehealth.]

7 ***
8 New Business
9 DR. TURSI:
10 I'd like to motion the Board's official
11 thanks to Aaron and Ken for all their
12 additional work and help during this
13 crisis. I so move.

14 DR. BULGER:
15 Second.
16 [The motion carried unanimously.]

17 ***
18 [Dr. Bulger inquired if the state was monitoring the
19 self prescribing of medications or prescriptions
20 during the current crisis, specifically referring to
21 hydroxychloroquine. Dr. Seid indicated the
22 prescriptions were not being monitored. The state had
23 its hands full with the number of deaths and the
24 number of positive cases. There was further
25 discussion regarding the matter.]

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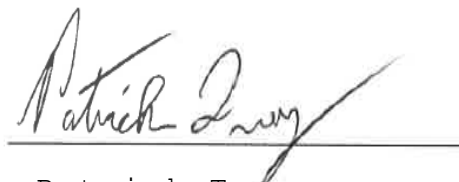
Adjournment

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

[The next meeting is scheduled for June 10, 2020.]

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.



Patrick Troy,

Minute Clerk

Sargent's Court Reporting

Service, Inc.

STATE BOARD OF OSTEOPATHIC MEDICINE
REFERENCE INDEX

April 8, 2020

TIME	AGENDA
9:32	Official Call to Order
9:33	Approval of Minutes
9:39	Report of Prosecutorial Division
9:44	Report of Department of Health
9:48	Executive Session
10:43	Return to Open Session
10:45	Report of Acting Commissioner
11:04	Motions
11:10	Report of Board Administrator
11:11	New Business
11:17	Adjournment

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