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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: 9:30 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Wednesday, June 13, 2018

1 State Board of Osteopathic Medicine
2 June 13, 2018

3
4 BOARD MEMBERS:

5
6 Randy G. Litman, D.O., Chairman
7 Katelin Lambert, Deputy Commissioner, Bureau of
8 Professional and Occupational Affairs, on behalf of
9 Ian J. Harlow, Commissioner of Professional and
10 Occupational Affairs
11 William B. Swallow, D.O., Vice Chairman
12 Burton T. Mark, D.O., Secretary
13 Rachel L. Levine, M.D., Physician General - Absent
14 John B. Bulger, D.O.
15 David A. Palmer, C.C.P., L.P. - Absent
16 Christopher S. Poggi, D.O.
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 Bridget K. Guilfoyle, Esquire, Board Prosecutor
27 Keith E. Bashore, Esquire, Board Prosecutor
28 Amanda N. Wojciechowski, Board Prosecutor
29 Tara J. Smith, Esquire, Board Prosecutor
30 Jason T. Anderson, Esquire, Board Prosecutor
31 Andrea L. Costello, Esquire, Board Prosecutor
32 Adam L. Morris, Esquire, Board Prosecutor
33 Adam Williams, Esquire, Board Prosecutor
34 Ricky Wayne Lewis, Esquire, Board Prosecutor
35 Aaron Hollinger, Board Administrator
36
37 Jessica Zukowski, Law Clerk
38 Holly Hoffman, Law Clerk
39
40

41 ALSO PRESENT:

42
43 Diana M. Ewert, Chief Executive Officer, Pennsylvania
44 Osteopathic Medical Association (POMA)
45 Mary Marshall, Director, Workforce & Professional
46 Services, The Hospital and Healthsystem Association
47 of Pennsylvania
48 Michael DePalma, Pennsylvania Society of Physician
49 Assistants
50 Andrew Harvan, Pennsylvania Medical Society

1 ***

2 State Board of Osteopathic Medicine

3 June 13, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Osteopathic Medicine was held on Wednesday,
7 June 13, 2018. Randy G. Litman, D.O., Chairman,
8 called the meeting to order at 9:30 a.m.

9 ***

10 Approval of Minutes of the April 11, 2018 meeting

11 CHAIRMAN LITMAN:

12 I call for approval of the minutes of
13 April 11 meeting.

14 DR. SWALLOW:

15 Approve.

16 DR. MARK:

17 Second.

18 CHAIRMAN LITMAN:

19 All in favor?

20 [The motion carried unanimously.]

21 ***

22 Report of Prosecutorial Division

23 [Anita P. Shekletski, Esquire, Board Prosecution
24 Liaison, introduced Adam L. Morris, Esquire, Board
25 Prosecutor; Ricky Wayne Lewis, Esquire, Board

1 Prosecutor; and Adam Williams, Esquire, Board
2 Prosecutor. Ms. Shekletski also introduced Jessica
3 Zukowski and Holly Hoffman, new law clerks.]

4 ***
5 [Christopher S. Poggi, D.O.; John B. Bulger, D.O.; and
6 Burton T. Mark, D.O., Secretary, exited the meeting at
7 9:33 a.m. for recusal purposes.]

8 ***
9 [Bridget K. Guilfoyle, Esquire, Board Prosecutor, on
10 behalf of Mark R. Zogby, Esquire, Board Prosecutor,
11 presented the Consent Agreement for File No. 17-53-
12 13471.]

13 ***
14 [Christopher S. Poggi, D.O.; John B. Bulger, D.O.; and
15 Burton T. Mark, D.O., Secretary, reentered the meeting
16 at 9:37 a.m.]

17 ***
18 [Keith E. Bashore, Esquire, Board Prosecutor,
19 presented the Consent Agreement for File No. 18-53-
20 02512.]

21 ***
22 [Amanda N. Wojciechowski, Esquire, Board Prosecutor,
23 presented the Consent Agreement for File No. 16-53-
24 03912.]

25 ***

1 [Tara J. Smith, Esquire, Board Prosecutor, presented
2 the Consent Agreement for File No. 17-53-10274.]

3 ***

4 [Jason T. Anderson, Esquire, Board Prosecutor,
5 presented the Consent Agreement for File No. 15-53-
6 07935.]

7 ***

8 [Andrea L. Costello, Esquire, Board Prosecutor,
9 presented VRP Consent Agreements for File No. 18-53-
10 03227 and File No. 18-53-004806.]

11 ***

12 Report of Board Counsel

13 [Wesley J. Rish, Esquire, Board Counsel, noted items
14 for discussion during Executive Session.]

15 ***

16 Report of Regulatory Counsel

17 [Wesley J. Rish, Esquire, Board Counsel, referred to
18 the Proposed - Licensure Qualifications regulation
19 (16A-53xx) for the Board's approval as an exposure
20 draft.

21 Mr. Rish provided an overview of the exposure
22 draft. He explained that the exposure draft would be
23 circulated to all of the Board stakeholders for their
24 comments to be later considered by the Board. Mr.
25 Rish continued to review the regulatory process for

1 promulgating the regulation.

2 Mr. Rish provided an overview of the definition
3 section regarding the requirements for licensure and
4 the practical examination, unrestricted license by
5 examination and unrestricted license by endorsement
6 changes, approved internship, graduate training
7 license, and general requirements for licensure
8 examinations.

9 Chairman Litman pointed out semantic issues. He
10 noted that the Comprehensive Osteopathic Medical
11 Licensing Examination (COMLEX) was identified as the
12 requiring exam. The titles of the exam are Level 1,
13 Level 2, and Level 3. The Level 2 practical
14 evaluation (PE) should be correctly completed.

15 Chairman Litman discussed changing the language
16 within Section 25.242, Unrestricted Licensure by
17 Endorsement, regarding osteopathic requirements to
18 read within a two year period of the license
19 application. Mr. Rish noted that the regulation
20 currently reads completed within two years prior to
21 the date of application.

22 Dr. Tursi questioned the osteopathic-focused
23 residency programs. Mr. Rish stated that his
24 understanding was either an applicant enrolled in an
25 osteopathic-focused internship that is accredited by

1 the Accreditation Council for Graduate Medical
2 Education (ACGME) and obtained licensure after a year
3 or an applicant would wait until completion the ACGME
4 residency. The Board reviewed the benefits of the
5 osteopathic-focused residency.

6 Mr. Rish discussed the importance of exact
7 language in order to move the regulation through the
8 regulatory process.]

9

10 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
11 10:05 a.m. the Board entered into Executive Session
12 with Wesley J. Rish, Esquire, Board Counsel, and
13 Kenneth J. Suter, Esquire, Board Counsel, for the
14 purpose of conducting quasi-judicial deliberations and
15 to receive legal advice from Board Counsel. The Board
16 returned to open session at 10:46 a.m.]

17

18 MOTIONS

19 MR. RISH:

20 The State Board of Osteopathic Medicine
21 held an Executive Session to conduct
22 quasi-judicial deliberations regarding
23 the following matters:

24 The first matter is Item No. 3 on
25 the Board's agenda. It is File No. 17-

1 53-13471. This was a Probable Cause
2 Screening Committee matter. Dr. Poggi,
3 Dr. Mark, and Dr. Bulger recused
4 themselves.

5 Based upon discussions in Executive
6 Session, I understand the Board would
7 entertain a motion approving the Consent
8 Agreement and Order.

9 DR. SWALLOW:

10 So moved.

11 DR. TURSI:

12 Second.

13 CHAIRMAN LITMAN:

14 All in favor?

15 [The motion carried. Dr. Poggi, Dr. Mark, and
16 Dr. Bulger recused themselves from deliberations and
17 voting on the motion. The Respondent's name is David
18 James Girardi, D.O.]

19 ***

20 MR. SUTER:

21 The next item is Item No. 4 on the
22 agenda. It is File No. 18-53-02512.

23 Based upon discussions in Executive
24 Session, I understand the Board would
25 entertain a motion approving this

1 Consent Agreement.

2 DR. TURSI:

3 So moved.

4 DR. POGGI:

5 Second.

6 CHAIRMAN LITMAN:

7 All in favor?

8 [The motion carried unanimously. The Respondent's
9 name is Jonas J. Varaly, D.O.]

10 ***

11 MR. RISH:

12 The next matter was Item No. 5 on the
13 Board's agenda. It is File No. 16-53-
14 03912.

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

19 DR. SWALLOW:

20 So moved.

21 DR. TURSI:

22 Second.

23 CHAIRMAN LITMAN:

24 All in favor?

25 [The motion carried unanimously. The Respondent's

1 name is Edwin L. Fuentes, D.O.]

2 ***

3 MR. SUTER:

4 The next item is Item No. 6 on the
5 agenda. It is File No. 17-53-10274.

6 Based upon discussions in Executive
7 Session, I understand the Board would
8 entertain a motion to adopt this Consent
9 Agreement.

10 DR. TURSI:

11 So moved.

12 DR. POGGI:

13 Second.

14 CHAIRMAN LITMAN:

15 All in favor?

16 [The motion carried unanimously. The Respondent's
17 name is Patrick Brian O'Hayre, D.O.]

18 ***

19 MR. SUTER:

20 The next item is Item No. 7 on the
21 agenda. It is File No. 15-53-07935.

22 Based upon discussions in Executive
23 Session, I understand the Board would
24 entertain a motion to adopt this Consent
25 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 Paul B. Williams, D.O.]

9 ***

10 MR. RISH:

11 The next matters we can take as a group.
12 It is Item No. 8 and Item No. 9. It is
13 VRP File No. 18-53-03227 and VRP File
14 No. 18-53-004806.

15 Based upon discussions in Executive
16 Session, I understand the Board would
17 entertain a motion approving the Consent
18 Agreements and Orders.

19 DR. TURSI:

20 So moved.

21 DR. POGGI:

22 Second.

23 CHAIRMAN LITMAN:

24 All in favor?

25 [The motion carried unanimously.]

1 ***

2 MR. RISH:

3 The next matter is Item No. 10 on the
4 agenda. It is the matter of the
5 Application to Practice Osteopathic
6 Medicine and Surgery of Ratna Cook aka
7 Ratna Ganabathi, D.O.

8 Based upon discussions in Executive
9 Session, I understand the Board would
10 approve a stipulated final order
11 granting a graduate osteopathic training
12 license subject to the terms and
13 conditions discussed.

14 DR. TURSI:

15 So moved.

16 DR. POGGI:

17 Second.

18 CHAIRMAN LITMAN:

19 All in favor?

20 [The motion carried unanimously.]

21 ***

22 MR. SUTER:

23 The next item on the agenda is Item No.
24 11. It is Quentin A. Parker, D.O., File
25 No. 17-53-12456.

1 Based upon discussions in Executive
2 Session, I understand the Board would
3 entertain a motion to adopt the final
4 Adjudication and Order as drafted.

5 DR. TURSI:

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 The next item on the agenda is Item No.
15 12. It is Dennis Erik Von Kiel, D.O.,
16 File No. 14-53-02415.

17 Based upon discussions in Executive
18 Session, I understand the Board would
19 entertain a motion to adopt the final
20 Adjudication and Order as drafted.

21 DR. TURSI:

22 So moved.

23 DR. MARK:

24 Second.

25 CHAIRMAN LITMAN:

1 All in favor?

2 [The motion carried unanimously.]

3 ***

4 MR. RISH:

5 The next matter is Item No. 14. It is
6 the Application for Reactivation of an
7 Unrestricted Osteopathic Medical License
8 of Carole Ann Vincent, D.O.

9 Based upon discussions in Executive
10 Session, I understand the Board would
11 entertain a motion approving the
12 application.

13 DR. MARK:

14 So moved.

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 is Item No. 15. It is
23 the Application for a Short-Term Camp
24 License of Meena Nahata Hierholzer, D.O.

25 Based upon discussions in Executive

1 Session, I understand the Board would
2 entertain a motion approving the
3 application.

4 DR. TURSI:

5 So moved.

6 DR. SWALLOW:

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. 16. It is
14 the Application for a Graduate
15 Osteopathic Training License of Ratna
16 Ganabathi Cook, D.O.

17 Based upon discussions in Executive
18 Session, I understand the Board would
19 approve the application for a Graduate
20 Osteopathic Training License subject to
21 the conditions that will be set forth on
22 a stipulated final order.

23 DR. MARK:

24 So moved.

25 DR. POGGI:

1 Second.

2 CHAIRMAN LITMAN:

3 All in favor?

4 [The motion carried unanimously.]

5 ***

6 Report of Board Chairman - No Report

7 ***

8 Report of Vice Chairman - No Report

9 ***

10 Report of Commissioner

11 [Katelin Lambert, Deputy Commissioner, Bureau of
12 Professional and Occupational Affairs, on behalf of
13 Ian J. Harlow, Commissioner of Professional and
14 Occupational Affairs addressed the Board's concerns
15 regarding graduate medical training (GMT) renewal.
16 Ms. Lambert stated approximately 8000 medical and
17 osteopathic graduate medical training licenses were
18 issued and the Board was on track with meeting its
19 goals.

20 Ms. Lambert discussed the Pennsylvania Licensing
21 System (PALS). She informed the Board of the PALS
22 support desk for licensees and the licensing community
23 to reach technical support.

24 Ms. Lambert discussed Act 31 of 2014, Child Abuse
25 Recognition and Reporting Continuing Education

1 Providers. She reviewed the electronic methods to
2 input and obtain information on providers.

3 Mr. Hollinger clarified that CE certificates are
4 not required to be submitted for renewals. Licensees
5 are only asked to answer "yes" that the requirements
6 have been met. He reviewed the random auditing
7 process after the renewal period. Mr. Hollinger also
8 discussed accepting certificates of completion after
9 training, the American Osteopathic Association (AOA)
10 CME report, or proof of official completion of a
11 course.]

12 ***

13 Report of the Department of Health - No Report

14 ***

15 For the Board's Information/Discussion - Next Meeting
16 Dates

17 [Chairman Litman discussed alternate meeting dates for
18 August 8, 2018.

19 The Board agreed upon August 22, 2018, as the new
20 meeting date.]

21 ***

22 Course Requirements and Credit

23 [Chairman Litman discussed finding the proper entity
24 with reference to the requirements for opiates, child
25 abuse, and patient safety courses, as well as the

1 establishment and assignment of education credits.

2 It was noted that the Commissioner would address
3 this issue.]

4 ***

5 [Chairman Litman noted August 22, October 24, and
6 December 12 as the remaining 2018 Board meeting
7 dates.]

8 ***

9 Adjournment

10 CHAIRMAN LITMAN:

11 Do I have a motion to adjourn?

12 DR. MARK:

13 So moved.

14 DR. TURSI:

15 Second.

16 CHAIRMAN LITMAN:

17 All right. Have a good week.

18 [The motion carried unanimously.]

19 ***

20 [There being no further business, the State Board of
21 Osteopathic Medicine Meeting adjourned at 11:04 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.



Seth R. Baier,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF OSTEOPATHIC MEDICINE
REFERENCE INDEX
June 13, 2018

	TIME	AGENDA
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2		
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5		
6		
7	9:30	Official Call to Order
8		
9	9:31	Approval of Minutes
10		
11	9:32	Report of Prosecutorial Division
12		
13	9:44	Report of Board Counsel
14		
15	9:45	Report of Regulatory Counsel
16		
17	10:05	Executive Session
18	10:46	Return to Open Session
19		
20	10:46	Motions
21		
22	10:53	Report of Commissioner
23		
24	10:58	For the Board's Information/Discussion
25		
26	11:04	Adjournment
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