State Board of Osteopathic Medicine June 14, 2017

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BOARD MEMBERS:

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Frank M. Tursi, D.O., Chairman

Ian J. Harlow, Commissioner of Professional and Occupational Affairs - Absent

Christopher S. Poggi, D.O., Vice Chairman Burton T. Mark, D.O., Secretary

Lauren Hughes, M.D., Deputy Secretary, Pennsylvania Department of Health, present on behalf of Rachel Levine, M.D., Physician General

John B. Bulger, D.O. Randy G. Litman, D.O.

David A. Palmer, C.C.P., L.P.

William B. Swallow, D.O.

BUREAU PERSONNEL:

Teresa Lazo, Esquire, Board Counsel Wesley Rish, Esquire, Board Counsel Anita P. Shekletski, Esquire, Board Prosecution Liaison

Joan J. Miller, Esquire, Board Prosecutor Amanda Wojciechowski, Esquire, Board Prosecutor David M. Green, Esquire, Board Prosecutor Andrea Costello, Esquire, Board Prosecutor Aaron Hollinger, Board Administrator

Maria Battista, Hearing Officer

ALSO PRESENT:

Dawn Morton-Rias, Ed.D., PA-C, President/CEO, National Commission on Certification of Physician Assistants (NCCPA)

Pamela Minardi, PA-C, Pennsylvania Society of Physician Assistants (PSPA)

Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants (PSPA)

Brenda Dill, Pennsylvania Osteopathic Medicine Association (POMA)

Michael Siget, Legislative and Regulatory Counsel, Pennsylvania Medical Society (PAMED)

Andrew Harvan, Pennsylvania Medical Society (PAMED)

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2 State Board of Osteopathic Medicine

June 14, 2017

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The regularly scheduled meeting of the State Board of Osteopathic Medicine was held on Wednesday, June 14, 2017. Frank M. Tursi, D.O., Chairperson, called the

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meeting to order at 9:29 a.m.

10 Appointment - National Commission on Certification of

11 | Physician Assistants (NCCPA)

12 | [Dawn Morton-Rias, Ed.D., PA-C, President/CEO, NCCPA,

13 began by providing the Board with a summary of her

14 professional background. She then proceeded with an

15 overview of the NCCPA and certification requirements.

16 NCCPA has been an independent freestanding

17 certification body from its inception 40 years ago.

18 Ms. Morton-Rias noted the NCCPA as a nonprofit

19 organization near Atlanta, Georgia, with a staff of

20 approximately 60 people, including psychometricians

21 and statisticians, and relying on subject matter

22 experts.

3

4

Ms. Morton-Rias explained NCCPA's role in

24 providing certification programs that reflect the

25 | standards of clinical knowledge, clinical reasoning,

additional medical skills, and professional behaviors for PAs upon entry into the profession and throughout their careers. She informed the Board that there are over 115,000 PAs and certified PAs in the United States.

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Ms. Morton-Rias shared a statistical report of the number and demographics of PAs. She noted over 7,000 PAs in the state of Pennsylvania, whereby 20 percent work in surgical subspecialties, 15 percent work in family medicine, a little over 11 percent work in emergency medicine, and 10 percent work in internal medicine.

Ms. Morton-Rias referred to Pennsylvania as one of the leading states in the production and/or education of PAs. She stated Pennsylvania has 17 accredited programs and more in development, so the future of the profession is bright.

Ms. Morton-Rias spoke briefly about certification and certification maintenance processes. She informed the Board that PAs must graduate from an accredited program and sit for a PANCE, which is an assessment of medical and surgical knowledge, in order to become certified. PAs have six attempts in six years for certification, and 99 percent of PAs do succeed.

In order to maintain certification, PAs must

5 maintain 100 hours of category 1 and 2 CME credits 1 2 over the course a two-year period of time, in which 50 3 of those credits must be category 1. CME credits must 4 be logged every 2 years and sit for a recertification 5 examination every 10 years. She informed the Board 6 that NCCPA will continue to modify programs and report any changes as they occur.] 8 Approval of Minutes of the April 5, 2017 meeting 10 CHAIRPERSON TURSI: 11 Approval of minutes of the April 5 12 meeting. DR. POGGI: 13 14 Approval. 15 DR. LITMAN: 16 Seconded. 17 CHAIRPERSON TURSI: 18 Corrections, additions? Hearing none. All in favor? Any opposed? 19 20 [The motion carried unanimously.] * * * 21 22 [Dr. Poggi, Dr. Mark, and Dr. Bulger exited the 23 meeting at 9:47 a.m. for recusal purposes during the 24 presentation of the Prosecuting Attorneys.]

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6 Report of Prosecuting Attorneys 1 2 [Joan J. Miller, Esquire, Board Prosecutor, presented 3 the Consent Agreement for File No. 16-53-05958.] * * * 4 5 [Amanda Wojciechowski, Esquire, Board Prosecutor, 6 presented the Consent Agreement for File No. 17-53-03458.1 * * * [David M. Green, Esquire, Board Prosecutor, presented 9 10 the Consent Agreements for File No. 16-53-13629 and 11 File No. 17-53-05690.] * * * 12 [Dr. Poggi, Dr. Mark, and Dr. Bulger re-entered the 13 14 meeting at 9:58 a.m. following the presentation of the 15 Prosecuting Attorneys. * * * 16 17 [Anita P. Shekletski, Esquire, Board Prosecution 18 Liaison, on behalf of David Ross, Esquire, Board 19 Prosecutor, presented the Consent Agreement for File 20 No. 15-53-10733.] 21 * * * 22 [Anita P. Shekletski, Esquire, Board Prosecution 23 Liaison, presented the Consent Agreement for File No. 2.4 17-53-00542.1

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[Andrea Costello, Esquire, Board Prosecutor, presented 1 2 the following Voluntary Recovery Program Consent 3 Agreements: File No. 17-53-03401, File No. 17-53-4 00235, File No. 17-53-03402, File No. 17-53-04740, and 5 File No. 17-53-06165.1 * * * 6 7 Report of Board Counsel [Wesley Rish, Esquire, Board Counsel, noted Proposed Reports from the Hearing Examiner and Final 10 Adjudications for the Board's deliberation during 11 Executive Session. * * * 12 13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at 14 10:05 a.m. the Board entered into Executive Session 15 with Wesley Rich, Esquire, Board Counsel, and Teresa Lazo, Esquire, Board Counsel, for the purpose of 16 17 conducting quasi-judicial deliberations and to receive 18 legal advice from Board Counsel. The Board returned 19 to open session at 11:05 a.m.] 20 * * * 21 MOTIONS: 2.2 MR. RISH: 2.3 The Board of Pennsylvania Board of 2.4 Osteopathic Medicine held an Executive 25 Session to conduct quasi-judicial

1 deliberation and receive legal advice 2 regarding the following matters: 3 first matter is Item No. 3 on the Board's agenda. It is file No. 16-53-4 5 05958. This is a Probable Cause 6 Screening Committee case. Dr. Poggi, Dr. Mark, and Dr. Bulger did not participate in the Executive Session 9 discussions. 10 Based upon those discussions, I 11 would recommend a motion of approving 12 the Consent Agreement and Order. 13 DR. SWALLOW: 14 Motion approved. 15 CHAIRPERSON TURSI: 16 I have a motion. Do we have a second? 17 DR. LITMAN: 18 Second. 19 CHAIRPERSON TURSI: 2.0 Any discussion? All in favor? Any 2.1 opposed? 22 [The motion carried. Dr. Poggi, Dr. Mark, and Dr. 23 Bulger recused from deliberations and voting on the 24 motion. The Respondent's name is Harold E. Feiler, 25 D.O.]

9 * * * 1 2 MR. RISH: 3 The next matter is Item No. 4. It is file No. 17-53-03458. This was also a 4 5 Probable Cause Screening Committee 6 matter. Dr. Poggi, Dr. Mark, and Dr. Bulger did not participate in the Executive Session. 9 Based upon discussions in 10 Executive Session, I would recommend a 11 motion of approving the Consent 12 Agreement and Order. 13 DR. SWALLOW: 14 Motion approved. 15 CHAIRPERSON TURSI: I have a motion. 16 17 DR. LITMAN: 18 Second. 19 CHAIRPERSON TURSI: 20 We have a second. Any discussion? All 21 in favor? Any opposed? 22 [The motion carried. Dr. Poggi, Dr. Mark, and Dr. 23 Bulger recused from deliberations and voting on the 24 motion. The Respondent's name is Scott Allen Keeney, 25 D.O.]

10 * * * 1 2 MS. LAZO: 3 The next item on the agenda was No. 5, 4 File No. 16-53-13629. Dr. Poggi, Dr. 5 Mark, and Dr. Bulger were also recused 6 on this matter. Based on discussions in Executive Session, I would recommend a motion to 9 approve that Consent Agreement and 10 Order. 11 CHAIRPERSON TURSI: 12 Do I hear such a motion? 13 DR. SWALLOW: 14 Motion to approve. 15 DR. LITMAN: 16 Second. 17 CHAIRPERSON TURSI: 18 Any discussion? All in favor? Any 19 opposed? 20 [The motion carried. Dr. Poggi, Dr. Mark, and Dr. 21 Bulger recused from deliberations and voting on the 22 motion. The Respondent's name is Bradley Thurlow 23 Schwarz, D.O.] * * * 24 25 MS. LAZO:

11 Based on discussions in Executive 1 2 Session of File No. 17-53-05690, in 3 which Drs. Poggi, Mark, and Bulger were 4 recused, I recommend a motion to adopt 5 that Consent Agreement and order 6 DR. SWALLOW: Motion to approve. DR. LITMAN: 9 Second. 10 CHAIRPERSON TURSI: 11 Any discussion? All in favor? Any 12 opposed? 13 [The motion carried. Dr. Poggi, Dr. Mark, and Dr. 14 Bulger recused from deliberations and voting on the 15 motion. The Respondent's name is Andre B. Posner, 16 D.O.] * * * 17 18 MS. LAZO: 19 The next one is No. 7 on the Agenda, File No. 15-53-10733. 20 2.1 Based on discussions in Executive 22 Session, I make a motion to approve 23 that Consent Agreement and Order. 2.4 DR. POGGI: 25 So moved.

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1
   CHAIRPERSON TURSI:
2
                  Second?
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   DR. BULGER:
                  Second.
4
5
   CHAIRPERSON TURSI:
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                   Thank you. Any discussion? All in
7
                   favor? Any opposed?
   [The motion carried unanimously. The Respondent's
   name is Jack A. Peterson, D.O.]
                               * * *
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   MS. LAZO:
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                  We are skipping No. 8 because that was
13
                  withdrawn.
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                        Next on the agenda is No. 9, File
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                  No. 17-53-00542. Based on discussions
16
                  in Executive Session, I recommend a
                  motion to approve that Consent
17
                  Agreement and Order.
18
19
   DR. MARK:
20
                  So moved.
21
   DR. POGGI:
22
                  Second.
2.3
   CHAIRPERSON TURSI:
24
                  Any discussion? All in favor?
25
                  opposed?
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13 [The motion carried unanimously. The Respondent's 1 2 name is Carlos Valladares, D.O.] 3 4 MR. RISH: 5 The next matter we can take as a group, 6 items 10 through 14, inclusive. Based upon discussions in Executive Session, I recommend a motion approving the following (VRP) Voluntary 10 Recovery program Agreements: File No. 11 17-53-03401, File No. 17-53-00235, File 12 No. 17-53-03402, File No. 17-53-04740, and File No. 17-53-06165. 13 DR. MARK: 14 15 So moved. 16 DR. POGGI: 17 Second. 18 CHAIRPERSON TURSI: 19 Any discussion of any of those? 20 All in favor? Any opposed? 21 [The motion carried unanimously.] * * * 22 2.3 MR. RISH: 2.4 The next matter is the Commonwealth of 25 Pennsylvania, Bureau of Professional

	14
1	and Occupational Affairs vs. Chris M.
2	Adams, D.O., File No. 15-53-05126.
3	Based upon discussions in
4	Executive Session, I would recommend a
5	motion adopting the Proposed
6	Adjudication and substituting a Board
7	Order.
8	DR. MARK:
9	So moved.
10	DR. POGGI:
11	Second.
12	CHAIRPERSON TURSI:
13	Any discussion? All in favor? Any
14	opposed?
15	[The motion carried unanimously.]
16	* * *
17	MS. LAZO:
18	Next on the agenda is No. 16, the matter
19	of <u>Commonwealth</u> of <u>Pennsylvania</u> , <u>Bureau</u>
20	of Professional and Occupational Affairs
21	vs. Richard E. Moran, D.O., File No. 15-
22	<u>53-00520.</u>
23	Based on discussions in Executive
24	Session, I recommend a motion to adopt
25	the Hearing Examiner's Proposed

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1
                  Adjudication.
2
   DR. MARK:
3
                  So moved.
4
   DR. POGGI:
5
                  Second.
6
   CHAIRPERSON TURSI:
                  Any discussion? All in favor? Any
8
                  opposed?
   [The motion carried unanimously.]
                               * * *
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11
   MS. RISH:
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                  The next matter is Item No. 17 on the
13
                  Board's agenda. It's in the matter of
14
                  the Application of Steven Ryan Do, D.O.,
                  File No. 16-53-12085.
15
16
                        Based upon discussions in
                  Executive Session, I recommend a motion
17
                  adopting the proposed Adjudication and
18
                  Order as the final order of the Board.
19
20
   DR. MARK:
21
                  So moved.
22
   DR. POGGI:
23
                  Second.
2.4
   CHAIRPERSON TURSI:
25
                   Any discussion? All in favor?
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16
1
                   opposed?
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   [The motion carried unanimously.]
3
4
   MS. LAZO:
5
                  Next is Item 18 on your agenda, the
6
                  Commonwealth of Pennsylvania, Bureau of
                  Professional and Occupational Affairs
                  vs. Elizabeth N. Wise, D.O., File No.
9
                  13-53-07361.
10
                        Based on discussions in Executive
11
                  Session, I recommend a motion adopting
12
                  the Hearing Examiner's Proposed
                  Adjudication and Order.
13
   DR. MARK:
14
15
                  So moved.
16
   DR. POGGI:
17
                  Second.
   CHAIRPERSON TURSI:
18
19
                  Any discussion? All in favor?
                                                     Any
20
                   opposed?
21
   [The motion carried unanimously.]
22
                               * * *
2.3
   MS. LAZO:
2.4
                  Number 19 on the agenda, the
25
                  Commonwealth of Pennsylvania, Bureau of
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17 Professional and Occupational Affairs 1 2 vs. Michael A. Flynn, D.O., File No. 08-3 53-09183. Based on discussions in Executive 4 5 Session, I recommend a motion to adopt 6 as the final Adjudication and Order of the Board the draft that was on the agenda. DR. MARK: 10 So moved. 11 DR. POGGI: 12 Second. CHAIRPERSON TURSI: 13 Any discussion? All in favor? 14 15 opposed? 16 [The motion carried unanimously.] * * * 17 MS. LAZO: 18 19 Number 20 on the agenda, the 2.0 Commonwealth of Pennsylvania, Bureau of 2.1 Professional and Occupational Affairs 22 vs. Patricia L. Sutton, D.O., File No. 2.3 13-53-05087 and 09-53-03259. 2.4 Based on discussions in Executive 25 Session, I recommend a motion to adopt

18 as the final Adjudication and Order for 1 2 the draft that was on the agenda. 3 DR. MARK: So moved. 4 5 DR. POGGI: Second. 6 7 CHAIRPERSON TURSI: Any discussion? All in favor? 9 opposed? 10 [The motion carried unanimously.] * * * 11 12 MS. LAZO: 13 Number 21 on the agenda is the request 14 for the approval of a supervising 15 position of Binyamin Rothstein, D.O., File No. 07-53-03224. 16 17 I recommend a motion to deny the 18 requested supervisor for not having a 19 close enough nexus of practice and for 20 not submitting a sufficient plan of 21 supervision. 22 DR. MARK: 23 So moved. 2.4 DR. POGGI: 25 Second.

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   CHAIRPERSON TURSI:
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                   Any discussion? All in favor?
3
                   opposed?
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    [The motion carried unanimously.]
                               * * *
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   MR. RISH:
6
                  The next matter is Item No. 22 on the
8
                  Board's agenda, the Application for an
9
                  Unrestricted License of Donna DeFilippo,
10
                  D.O.
11
                        Based upon discussions in
12
                  Executive Session, I recommend a motion
13
                  approving the application.
   DR. MARK:
14
15
                  So moved.
16
   DR. POGGI:
17
                  Second.
   CHAIRPERSON TURSI:
18
19
                   Any discussion? All in favor?
                                                     Any
20
                   opposed?
21
   [The motion carried unanimously.]
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2.3
   MR. RISH:
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                  The next matter is Item No. 23, the
25
                  Application of Ratna Cook, D.O.
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1
                        Based upon discussions in
2
                  Executive Session, I recommend a motion
3
                  provisionally denying the application.
4
   DR. MARK:
5
                  So moved.
6
   DR. POGGI:
                  Second.
   CHAIRPERSON TURSI:
                   Any discussion? All in favor?
                                                     Any
10
                   opposed?
11
   [The motion carried unanimously.]
                               * * *
12
13
   MS. LAZO:
14
                  Number 24 on the agenda is the
15
                  Application for Reactivation of Magaly
16
                  Del Monaco, D.O.
17
                        Based upon discussions in
18
                  Executive Session, I recommend a motion
19
                  to grant the application for
20
                  reactivation.
21
   DR. MARK:
22
                  So moved.
2.3
   DR. POGGI:
24
                  Second.
25
   CHAIRPERSON TURSI:
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21
1
                   Any discussion? All in favor?
2
                   opposed?
3
    [The motion carried unanimously.]
                               * * *
4
   MS. LAZO:
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                  Number 25 on the agenda is the
7
                  Application for Reactivation of Thomas
                  Showers, D.O.
9
                        Based upon discussions in
10
                  Executive Session, I recommend a motion
11
                  to grant the application.
   DR. MARK:
12
13
                  So moved.
   DR. POGGI:
14
15
                  Second.
16
   CHAIRPERSON TURSI:
17
                   Any further discussion? All in favor?
18
                   Any opposed?
19
   [The motion carried unanimously.]
                               * * *
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21
   MR. RISH:
22
                  The next matter is Item No. 26, the
23
                  Application for a Graduate Osteopathic
24
                  Medical Training License of Jessie Huff,
25
                  D.O.
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22
1
                        Based upon discussions in
2
                  Executive Session, I recommend a motion
3
                  approving the application.
4
   DR. MARK:
5
                  So moved.
6
   DR. POGGI:
                  Second.
   CHAIRPERSON TURSI:
9
                   Any discussion? All in favor?
                                                     Any
10
                   opposed?
11
   [The motion carried unanimously.]
                               * * *
12
13
   MR. RISH:
14
                  The next matter is Item No. 27 on the
15
                  Board's agenda. It's the Written
16
                  Agreement Application of Richard Brantz,
                  D.O. and Deborah A. Summers, Physician
17
18
                  Assistant.
19
                        Based upon discussions in
20
                  Executive Session, I recommend a motion
21
                  provisionally denying the application.
22
   DR. MARK:
2.3
                  So moved.
2.4
   DR. POGGI:
25
                  Second.
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23
1
   CHAIRPERSON TURSI:
2
                  Any discussion? All in favor?
3
                   opposed?
4
    [The motion carried unanimously.]
                               * * *
5
6
   MR. RISH:
                  The next matter is Item No. 28. It's
                  the Written Agreement Change Form
                  Application of Richard Cohen, D.O. and
10
                  Natalie Wisneski, Physician Assistant.
11
                        Based upon discussions in
12
                  Executive Session, I recommend a motion
13
                  provisionally denying the application.
   DR. MARK:
14
15
                  So moved.
   DR. POGGI:
16
                  Second.
17
   CHAIRPERSON TURSI:
18
19
                  Any further discussion? Hearing none.
20
                  All in favor? Any opposed?
21
   [The motion carried unanimously.]
                               * * *
22
2.3
   MR. RISH:
2.4
                  The next matter is Item No. 29. It's
                  Lori A. Rinker, D.O. and Cheressa Mix,
25
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24 1 Physician Assistant. 2 Based upon discussions in 3 Executive Session, I recommend a motion provisionally denying the Written 4 5 Agreement Change Form Application. 6 DR. MARK: So moved. 8 DR. POGGI: 9 Second. 10 CHAIRPERSON TURSI: 11 Any further discussion? Hearing none. 12 All in favor? Any opposed? 13 [The motion carried unanimously.] * * * 14 15 Report of the Regulatory Counsel - No Report 16 17 Report of Chairperson [Chairperson Tursi reminded the Board of the Task 18 19 Force Committee meeting following the Board meeting. 2.0 He also noted the Task Force Committee will determine 21 whether any future meetings are necessary before 22 reporting back to the Board.] 2.3 24 Report of the Commissioner - No Report * * * 25

- 1 Report of the Department of Health
- 2 | [Lauren Hughes, M.D., Deputy Secretary, Pennsylvania
- 3 Department of Health, present on behalf of Rachel
- 4 Levine, M.D., Physician General, provided the Board
- 5 | with updates related to the prescription drug
- 6 monitoring programs. She addressed the integration
- 7 with PMP, interpharmacy data systems, and electronic
- 8 health record systems.
- 9 Dr. Hughes discussed the education modules
- 10 available in the fall, including procedures for
- 11 | incorporating PMPs into clinical workloads, for
- 12 tapering a patient, and for initiating conversations
- 13 upon discovering red flags.]
- 14
- 15 Report of Board Administrator No Report
- 16 ***
- 17 | Board Information/Discussion
- 18 | Board Meeting Dates
- 19 [Chairperson Tursi requested the Board review the
- 20 proposed Board meeting dates for the remainder of 2017
- 21 and 2018 for any possible conflicts.
- 22 ***
- 23 Old Business/New Business
- 24 [Chairperson Tursi reminded the Board of the (NBOME)
- 25 | National Board of Osteopathic Medical Examiners Fall

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26
1
   Visitation Day on October 16, 2017.]
2
3
   CHAIRPERSON TURSI:
4
                  Is there any other business from the
5
                   Board, points of interest?
6
                        Hearing none. Motion for
7
                   adjournment of this meeting.
   DR. MARK:
9
                  So moved.
10
   DR. POGGI:
11
                  Second.
12
   CHAIRPERSON TURSI:
13
                   Anybody opposed? Okay, we are
14
                   adjourned.
15
                        I'll leave it up to our Task Force
16
                   Chairman when he wants to get together.
   [The motion carried unanimously.]
17
                               * * *
18
   [The State Board of Osteopathic Medicine meeting
19
20
   adjourned at 11:20 a.m.]
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22
2.3
2.4
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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

CERTIFICATE

Medicine meeting.

Ashley Hoover,

Minute Clerk

Sargent's Court Reporting
Service, Inc.