State Board of Medicine June 25, 2024

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BOARD MEMBERS:

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Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs Mark B. Woodland, M.S., M.D., FACOG, Chair Donald M. Yealy, M.D., Vice Chair

Gerard F. Dillon, Ph.D., Public Member

Michael R. Ripchinski, M.D., MBA, CPE, FAAFP

Walter A. Eisenhauer, MMSC, M.Ed., PA-C

Raina Workman, Executive Policy Specialist 2, on behalf of Debra L. Bogen, M.D., FAAP, FABM, Acting Secretary of Health, Department of Health

17 John D. Six, M.D. - Absent 18

John A. Kutz, M.D., FACS

Benjamin S. Abella, M.D., MPhil - Absent

Catherine N. Udekwu, M.D.

21 22 23

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BUREAU PERSONNEL:

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Shana M. Walter, Esquire, Senior Board Counsel Dana M. Wucinski, Esquire, Acting Senior Board Counsel

Heather J. McCarthy, Esquire, Senior Board Prosecutor and Prosecution Liaison

Jason T. Anderson, Esquire, Board Prosecutor

Keith E. Bashore, Esquire, Board Prosecutor

Patrick Greene, Esquire, Board Prosecutor Adrianne Rachelle McClendon, Esquire, Board

Prosecutor Courtney J. Restemayer, Esquire, Board Prosecutor

Berk V. Demiral, Esquire, Board Prosecutor Adam J. Williams, Esquire, Board Prosecutor

Saiyad Ali, Board Administrator

Andrew LaFratte, MPA, Deputy Policy Director, Department of State

Nichole Wray, Division Chief of the State Boards of Medicine, Osteopathic Medicine, and Podiatry

43 44

ALSO PRESENT:

45 46 47

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Lisa Claypool Stevenson, Senior Associate Counsel, University of Pittsburgh Medical Center Julie Droddy, Drug and Alcohol Program Manager, Professional Health Monitoring Program

State Board of Medicine June 25, 2024

ALSO PRESENT: (cont.)

6
7 Mary Marshall, Director, Workforce & Professional
8 Development, The Hospital and Healthsystem
9 Association of Pennsylvania

Aislinn McManus, Associate, Kirkland & Ellis Misha Patel, M.D., Curriculum Education Assistant, Geisinger Commonwealth School of Medicine

Randy Stevens, Director of Legislative Affairs,
Pennsylvania Orthotic and Prosthetic Society
Heather Wilson, MSW, CFRE, Executive Director,
Physicians' Health Program, Foundation of the

Pennsylvania Medical Society Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants

Tracey Ziegler, RN, BSN, NHP, Nurse Consultant and NHP Advisory Committee Member, Physicians' Health Program

Christina Edwards Katherine Decco

Madeline Helmstetter, Sargent's Court Reporting Service, Inc.

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State Board of Medicine

June 25, 2024

* * *

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

counsel. The Board returned to open session at

13 10:30 a.m.1

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The regularly scheduled meeting of the State

Board of Medicine was held on Tuesday, June 25, 2024.

Mark B. Woodland, M.S., M.D., FACOG, Chair, called

the meeting to order at 10:30 a.m.

* * *

[Mark B. Woodland, M.S., M.D., FACOG, Chair, informed everyone that the meeting was being recorded, and those who continued to participate were giving their consent to be recorded.]

24

25 | Introduction of Board Members/Attendees

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1
   [Mark B. Woodland, M.S., M.D., FACOG, Chair, provided
2
   an introduction of Board members and attendees.
3
   quorum of Board members was present.]
 4
5
   Acknowledge Public - Turn Off Electronic Devices
6
   [Mark B. Woodland, M.S., M.D., FACOG, Chair,
7
   requested all cell phones be muted.]
8
9
   Approval of minutes of the May 21, 2024 meeting
10
   CHAIR WOODLAND:
                  Our first order of business on the
11
12
                  agenda is approval of minutes from May
13
                  21, 2024.
14
                       Do I have a motion to approve?
15
   DR. YEALY:
16
                  So moved.
17
   DR. KUTZ:
18
                  Second.
19
   CHAIR WOODLAND:
20
                  I know we had an opportunity to make
21
                  some corrections from the original
22
                  minutes that were sent out, just some
23
                  minor corrections, so I appreciate that
24
                  they have been made. Any other further
25
                  discussion? Hearing none, could we
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1 have a roll call, please? 2 3 Mr. Claggett, aye; Dr. Woodland, aye; 4 Dr. Yealy, aye; Mr. Dillon, aye; Dr. 5 Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Workman, abstain; Dr. Kutz, aye; 6 7 Dr. Udekwu, abstain. [The motion carried. Raina Workman and Catherine 8 9 Udekwu abstained from voting on the motion.] * * * 10 11 Report of Prosecuting Attorneys 12 [Heather J. McCarthy, Esquire, Senior Board 13 Prosecutor and Board Prosecution Liaison, presented 14 the Consent Agreement for Case No. 22-49-018160.] 15 16 [Shana M. Walter, Esquire, Senior Board Counsel, 17 noted the Board entered into Executive Session for 18 the purpose of conducting quasi-judicial deliberations and to receive the advice of counsel.] 19 MS. WALTER: 20 21 I believe the Board would entertain a 22 motion to approve the Consent Agreement 23 at Case No. 22-49-018160 at number 3 on 24 the agenda. 25 DR. YEALY:

8 1 DR. YEALY: 2 So moved. 3 DR. KUTZ: 4 Second. 5 CHAIR WOODLAND: 6 Any further discussion on this case? 7 Hearing none, Saiyad, could we have a roll call, please? 9 10 Mr. Claggett, aye; Dr. Woodland, aye; 11 Dr. Yealy, aye; Mr. Dillon, aye; Dr. 12 Ripchinski, aye; Mr. Eisenhauer, aye; 13 Ms. Workman, abstain; Dr. Kutz, aye; 14 Dr. Udekwu, aye. 15 [The motion carried. Raina Workman abstained from 16 voting on the motion. The Respondent's name is Dana 17 Caroline Siegel.] * * * 18 19 [Keith E. Bashore, Esquire, Board Prosecutor, 20 presented the Consent Agreements for Case No. 24-49-003617 and Case No. 24-49-000796.121 22 MS. WALTER: 23 I believe the Board would entertain a 24 motion to approve the Consent 25 Agreements at agenda numbers 5 and 6 on

9 1 the agenda. Number 5 is Case No. 24-2 49-003617, and number 6 is Case No. 24-3 49-000796. 4 DR. YEALY: 5 So moved. DR. KUTZ: 6 7 Second. 8 CHAIR WOODLAND: 9 Any further discussion on either of 10 these items? Hearing none, Saiyad, 11 could we have a roll call, please? 12 13 Mr. Claggett, aye; Dr. Woodland, aye; 14 Dr. Yealy, aye; Mr. Dillon, aye; Dr. 15 Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Workman, abstain; Dr. Kutz, aye; 16 17 Dr. Udekwu, aye. 18 [The motion carried. Raina Workman abstained from 19 voting on the motion. The Respondent's name at 20 number 5 is Vincent Anthony Paolone, M.D., and number 21 6 is Mark Lee Grothmann, LAT.] * * * 22 23 [Berk V. Demiral, Esquire, Board Prosecutor, 24

25 015843 and Case No. 22-49-016932.]

presented the Consent Agreements for Case No. 22-49-

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10
1
   MS. WALTER:
2
                  I believe the Board would entertain a
3
                  motion to approve the Consent Agreement
                  at number 7 Case No. 22-49-015843 and
 4
                  number 8 at Case No. 22-49-016932.
5
   DR. YEALY:
6
7
                  So moved.
8
   DR. KUTZ:
9
                  Second.
10
   CHAIR WOODLAND:
11
                  Any further discussion on either of
12
                  these cases? Hearing none, Saiyad,
13
                  could we have a roll call, please?
14
15
                  Mr. Claggett, aye; Dr. Woodland, aye;
16
                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
                  Ripchinski, aye; Mr. Eisenhauer, aye;
17
18
                  Ms. Workman, abstain; Dr. Kutz, aye;
19
                  Dr. Udekwu, aye.
20
   [The motion carried. Raina Workman abstained from
21
   voting on the motion. The Respondent's name at
22
   number 7 is Amy Kathleen Makl, PA-C, and number 8 is
23
   Nathan B. Duer, M.D.]
24
25
   [Patrick M. Greene, Esquire, Board Prosecutor,
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11
1
   presented the Consent Agreement for Case No. 24-49-
2
   005561.1
3
   MS. WALTER:
                  I believe the Board would entertain a
 4
5
                  motion to approve the Consent Agreement
 6
                  at number 9 on the agenda at Case No.
7
                  24-49-005561.
8
   DR. YEALY:
9
                  So moved.
10
   DR. KUTZ:
11
                  Second.
   CHAIR WOODLAND:
12
13
                  Any further discussion on this issue?
14
                  Hearing none, Saiyad, could we have a
15
                  roll call, please?
16
                  Mr. Claggett, aye; Dr. Woodland, aye;
17
18
                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
19
                  Ripchinski, aye; Mr. Eisenhauer, aye;
20
                  Ms. Workman, abstain; Dr. Kutz, aye;
21
                  Dr. Udekwu, aye.
22
   [The motion carried. Raina Workman abstained from
23
   voting on the motion. The Respondent's name at
24
   number 9 is Chris Eugene Schrum, L.R.T.]
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12
   Report of Board Counsel - Proposed Reports from
1
2
     Hearing Examiner
3
   MS. WUCINSKI:
 4
                  At agenda items 10 and 13, I believe
5
                  the Board would entertain a motion to
                  adopt as final, the hearing examiner's
 6
7
                  proposed Adjudication and Order for
8
                  Paul D. Orange, M.D., at Case No. 22-
9
                  49-007559 and Jillian Palm at Case No.
10
                  23-49-016604.
11
   DR. YEALY:
12
                  So moved.
13
   DR. KUTZ:
14
                  Second.
15
   CHAIR WOODLAND:
16
                  Any further discussion on those two
                  items, numbers 10 and 13? Hearing
17
18
                  none, could we have a roll call,
19
                  please, Saiyad?
20
21
                  Mr. Claggett, aye; Dr. Woodland, aye;
22
                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
23
                  Ripchinski, aye; Mr. Eisenhauer, aye;
24
                  Ms. Workman, abstain; Dr. Kutz, aye;
25
                  Dr. Udekwu, aye.
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1 [The motion carried. Raina Workman abstained from
2 voting on the motion.]
3

4 MS. WUCINSKI:

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6

7

9

10

Moving on to agenda item 11. I believe the Board would entertain a motion to direct Board Counsel to draft an Adjudication and Order addressing exceptions for Cosmin Dobrescu, M.D., at Case No. 23-49-008003.

11 DR. YEALY:

12 So moved.

13 DR. KUTZ:

14 Second.

15 CHAIR WOODLAND:

Any further discussion on this item?

Hearing none, Saiyad, could we have a

roll call, please?

19

23

24

16

17

18

Mr. Claggett, aye; Dr. Woodland, aye;

Dr. Yealy, aye; Mr. Dillon, aye; Dr.

22 Ripchinski, aye; Mr. Eisenhauer, aye;

Ms. Workman, abstain; Dr. Kutz, aye;

Dr. Udekwu, aye.

25 [The motion carried. Raina Workman abstained from

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14
1
   voting on the motion.]
                               * * *
2
3
   MS. WUCINSKI:
 4
                  Agenda item 12. I believe the Board
5
                  would entertain a motion to make final
 6
                  the hearing examiner's Adjudication and
7
                  Order for Eric Chang, M.D., at Case No.
                  23-49-016355.
8
9
   DR. YEALY:
10
                  So moved.
11
   DR. KUTZ:
                  Second.
12
13
   CHAIR WOODLAND:
14
                  Any further discussion on item 12?
15
                  Hearing none, could we have a roll
16
                  call, please?
17
18
                  Mr. Claggett, aye; Dr. Woodland, aye;
19
                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
20
                  Ripchinski, aye; Mr. Eisenhauer, aye;
21
                  Ms. Workman, abstain; Dr. Kutz, aye;
22
                  Dr. Udekwu, aye.
23
   [The motion carried. Raina Workman abstained from
24
   voting on the motion.]
25
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15
   Report of Board Counsel - Other
1
2
   MS. WUCINSKI:
3
                  Agenda item 19, I believe the Board
 4
                  would entertain a motion to remove the
 5
                  Preceptorship Limitation and Grant an
                  Unrestricted License to Practice
 6
7
                  Medicine and Surgery of Kimberly
8
                  Thompson, M.D.
9
   DR. YEALY:
10
                  So moved.
11
   DR. KUTZ:
                  Second.
12
13
   CHAIR WOODLAND:
14
                  Any further discussion on this item?
15
                  Hearing none, Saiyad, could we have a
                  roll call, please?
16
17
18
                  Mr. Claggett, aye; Dr. Woodland, aye;
19
                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
20
                  Ripchinski, aye; Mr. Eisenhauer, aye;
21
                  Ms. Workman, abstain; Dr. Kutz, aye;
22
                  Dr. Udekwu, aye.
23
   [The motion carried. Raina Workman abstained from
24
   voting on the motion.]
25
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	16
1	MS. WUCINSKI:
2	Agenda item 20 is tabled to allow the
3	Board to obtain additional information
4	from the applicant. In addition, Board
5	Counsel has authorization to grant the
6	license upon obtaining the appropriate
7	documentation.
8	* * *
9	Applications for Licensure - Allied Health
10	Professionals
11	MS. WUCINSKI:
12	At agenda item 21, I believe the Board
13	would entertain a Motion to
14	Provisionally Deny the Application to
15	Practice as a Behavioral Specialist of
16	<u>Shaneisa Magambo</u> .
17	DR. YEALY:
18	So moved.
19	DR. KUTZ:
20	Second.
21	CHAIR WOODLAND:
22	Any further discussion on item 21?
23	Hearing none, Saiyad, could we have a
24	roll call, please?
25	

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17
1
                  Mr. Claggett, aye; Dr. Woodland, aye;
2
                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
3
                  Ripchinski, aye; Mr. Eisenhauer, aye;
 4
                  Ms. Workman, abstain; Dr. Kutz, aye;
5
                  Dr. Udekwu, aye.
6
   [The motion carried. Raina Workman abstained from
7
   voting on the motion.]
8
9
   Applications for Licensure
   MS. WUCINSKI:
10
11
                  I believe the Board would entertain a
12
                  motion to grant the following
13
                  Applications for an Initial License to
14
                  Practice as a Physician and Surgeon at
15
                  agenda item 22, Maria Rizwan Bokhari,
16
                  M.D.; agenda item 27, Malleeswari
                  Nellore, M.D.; and agenda item 29, Jose
17
18
                  Quesada Olarte, M.D.
   DR. YEALY:
19
20
                  So moved.
21
   DR. KUTZ:
22
                  Second.
23
   CHAIR WOODLAND:
24
                  Any further discussion on these three
25
                  items; 22, 27, or 29? Hearing none,
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18 1 Saiyad, could we have a roll call, 2 please? 3 4 Mr. Claggett, aye; Dr. Woodland, aye; 5 Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; 6 7 Ms. Workman, abstain; Dr. Kutz, aye; 8 Dr. Udekwu, aye. 9 [The motion carried. Raina Workman abstained from 10 voting on the motion.] * * * 11 MS. WUCINSKI: 12 I believe the Board would entertain a 13 14 motion to table and send standard 15 reentry letters to the following 16 Applicants for an Initial License to 17 Practice as a Physician and Surgeon: 18 Agenda item 23, Margaret Mary Franger, 19 M.D.; agenda item 30, Maria F. 20 Rodowski, M.D.; agenda item 32, Hatai 21 Sinthusek, M.D.; agenda item 34, Joshua 22 Steinerman, M.D. 23 DR. YEALY: 24 So moved. 25 DR. KUTZ:

19 Second. 1 2 CHAIR WOODLAND: 3 Any further discussion on items 23, 30, 32, and 34? Hearing none, Saiyad, 4 5 could we have a roll call, please? 6 Mr. Claggett, aye; Dr. Woodland, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. 9 Ripchinski, aye; Mr. Eisenhauer, aye; 10 Ms. Workman, abstain; Dr. Kutz, aye; 11 Dr. Udekwu, aye. [The motion carried. Raina Workman abstained from 12 13 voting on the motion.] * * * 14 15 MS. WUCINSKI: 16 At agenda item 24, I believe the Board 17 would entertain a motion to grant the 18 Initial Application for a License to 19 Practice as a Physician and Surgeon of 20 Khwaja Yousuf Hasan, M.D. 21 DR. YEALY: 22 So moved. 23 DR. KUTZ: 24 Second. 25 CHAIR WOODLAND:

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20
                  Any further discussion on item 24?
1
2
                  Hearing none, Saiyad, could we have a
3
                  roll call, please?
 4
 5
                  Mr. Claggett, aye; Dr. Woodland, aye;
 6
                  Dr. Yealy, aye; Mr. Dillon, nay; Dr.
7
                  Ripchinski, aye; Mr. Eisenhauer, aye;
                  Ms. Workman, abstain; Dr. Kutz, aye;
8
9
                  Dr. Udekwu, aye.
10
   [The motion carried. Raina Workman abstained from
11
   voting on the motion. Gerard Dillon opposed the
   motion. 1
12
13
                              * * *
14
   MS. WUCINSKI:
15
                  I believe the Board would entertain a
16
                  motion to table the following
17
                  Applications and invite the following
18
                  Applicants to apply for an
                  Institutional License at agenda item
19
20
                  25, Rupali Jain, M.D.; agenda item 26,
21
                  Maya Menon, M.D.; agenda item 28, Iman
22
                  Yazdani Nia, M.D.; and agenda item 31,
23
                  Franco Rubino, M.D.
24
   DR. YEALY:
25
                  So moved.
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21 DR. KUTZ: 1 2 Second. 3 CHAIR WOODLAND: 4 Any further discussion on items 25, 26, 5 28, or 31? Hearing none, Saiyad, could we have a roll call, please? 6 7 Mr. Claggett, aye; Dr. Woodland, aye; 9 Dr. Yealy, aye; Mr. Dillon, aye; Dr. 10 Ripchinski, aye; Mr. Eisenhauer, aye; 11 Ms. Workman, abstain; Dr. Kutz, aye; 12 Dr. Udekwu, aye. 13 [The motion carried. Raina Workman abstained from 14 voting on the motion.] 15 * * * MS. WUCINSKI: 16 At agenda item 33, I believe the Board 17 18 would entertain a motion to provisionally deny the Initial 19 20 Application for a License to Practice 21 as a Physician and Surgeon of Joanna 22 Chioma Usifo, M.D. 23 DR. YEALY: 24 So moved. 25 DR. KUTZ:

1 Second.

2 CHAIR WOODLAND:

Any further discussion on this item?

Hearing none, Saiyad, could we have a

5 roll call, please?

6

9

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11

7 Mr. Claggett, aye; Dr. Woodland, aye;

Dr. Yealy, aye; Mr. Dillon, aye; Dr.

Ripchinski, aye; Mr. Eisenhauer, aye;

Ms. Workman, abstain; Dr. Kutz, aye;

Dr. Udekwu, aye.

12 | [The motion carried. Raina Workman abstained from

13 | voting on the motion.]

14

15 Applications for Licensure - Institutional License

16 MS. WUCINSKI:

17 At agenda item 35, I believe the Board

18 would entertain a motion to grant the

19 Application for an Institutional

License for Anamika Kumari, M.D.

21 DR. YEALY:

22 So moved.

23 DR. KUTZ:

24 Second.

25 CHAIR WOODLAND:

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2.3
                  Any further discussion on this one?
1
2
                  Hearing none, Saiyad, could we have a
3
                  roll call, please?
 4
 5
                  Mr. Claggett, aye; Dr. Woodland, aye;
                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
 6
7
                  Ripchinski, aye; Mr. Eisenhauer, aye;
                  Ms. Workman, abstain; Dr. Kutz, aye;
9
                  Dr. Udekwu, aye.
10
   [The motion carried. Raina Workman abstained from
11
   voting on the motion.]
12
13
   Ratifications
14
   MS. WUCINSKI:
15
                  For agenda items 36 through 42, I
16
                  believe the Board would entertain a
17
                  motion to Ratify the granting of the
18
                  following Applications for a License to
19
                  Practice as a Physician and Surgeon:
20
                  Maha Barnes, M.D.; Hayden A. Tomlinson,
21
                  M.D.; Andrew Joseph Maza, M.D.; Akin
22
                  Soner Amasyali, M.D.; Dennise Elizabeth
23
                  Otero Espinal, M.D.; Chalairat Suk-
24
                  Oichai, M.D.; and Ehud Zeltzer, M.D.
25
   DR. YEALY:
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24 1 So moved. 2 DR. KUTZ: 3 Second. 4 CHAIR WOODLAND: 5 Any further discussion on items 36 6 through 42? Hearing none, Saiyad, 7 could we have a roll call, please? 8 9 Mr. Claggett, aye; Dr. Woodland, aye; 10 Dr. Yealy, aye; Mr. Dillon, aye; Dr. 11 Ripchinski, aye; Mr. Eisenhauer, aye; 12 Ms. Workman, abstain; Dr. Kutz, aye; 13 Dr. Udekwu, aye. 14 [The motion carried. Raina Workman abstained from 15 voting on the motion.] * * * 16 Miscellaneous 17 18 MS. WALTER: 19 Number 44 is a cardiopulmonary 20 resuscitation (CPR) Training Approval 21 Request of HSI to be a Board-approved 22 CPR provider for purposes of the 23 naturopathic doctor regulation at 24 \$18.903, \$18.904, and \$18.90525 I believe the Board would entertain

25 1 a motion to approve HSI as one of these 2 providers for purposes of the 3 naturopathic doctor regulatory 4 requirements. 5 DR. YEALY: 6 So moved. 7 DR. KUTZ: 8 Second. 9 CHAIR WOODLAND: 10 Any further discussion? The one thing I would like to note is that all of the 11 12 HSI, like the American Heart 13 Association (AHA) and American Red 14 Cross (ARC), are all Commission on 15 Accreditation for Prehospital 16 Continuing Education (CAPCE) 17 accredited, so it is substantially the 18 same as the other two accepted 19 programs. 20 Any other discussion? Hearing 21 none, Saiyad, could we have a roll 22 call, please? 23 24 Mr. Claggett, aye; Dr. Woodland, aye; 25 Dr. Yealy, aye; Mr. Dillon, aye; Dr.

26 1 Ripchinski, aye; Mr. Eisenhauer, aye; 2 Ms. Workman, abstain; Dr. Kutz, aye; 3 Dr. Udekwu, aye. 4 [The motion carried. Raina Workman abstained from 5 voting on the motion.] * * * 6 7 MS. WALTER: 8 Number 45 is the the United States 9 Medical Licensing Examination (USMLE) 10 Attempt Waiver Request of Migena 11 Dervishi. I believe the Board would entertain 12 13 a motion to table this request to 14 obtain more information from the 15 requestor. DR. YEALY: 16 17 So moved. 18 DR. KUTZ: Second. 19 20 CHAIR WOODLAND: 21 Any further discussion on this item? 22 Hearing none, Saiyad, could we have a 23 roll call, please? 24 25 Mr. Claggett, aye; Dr. Woodland, aye;

2.7

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Dr. Yealy, aye; Mr. Dillon, aye; Dr.
1
2
                  Ripchinski, aye; Mr. Eisenhauer, aye;
 3
                  Ms. Workman, abstain; Dr. Kutz, aye;
 4
                  Dr. Udekwu, aye.
5
   [The motion carried. Raina Workman abstained from
   voting on the motion.]
6
7
                              * * *
8
   Miscellaneous - FSMB Notice - FDA Panel
   [Shana M. Walter, Esquire, Senior Board Counsel,
10
   referred to the notice from the Federation of State
11
   Medical Boards (FSMB) regarding the Food and Drug
12
   Administration (FDA) Advisory Panel Meeting for the
13
   Board's information.
14
        Chair Woodland noted the FSMB put a notice out to
15
   every state medical board in the country to highlight
16
   methylenedioxymethamphetamine (MDMA) not being a
   treatment for post-traumatic stress disorder (PTSD).
17
                              * * *
18
19
   Miscellaneous - Almusa v. State Board of Medicine
20
   [Shana M. Walter, Esquire, Senior Board Counsel,
21
   noted Almusa v. State Board of Medicine is pending
22
   before the Pennsylvania Supreme Court and is also for
23
   the Board's review.]
24
25
   Report of Board Counsel - Regulatory Report
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[Shana M. Walter, Esquire, Senior Board Counsel,
provided a Regulatory Status Report for the Board's
review.

Chair Woodland requested information on 16A-4950 regarding telemedicine and the proposed rulemaking to adopt standards of practice.

Ms. Walter explained that there are various bills pending in the legislature going through various iterations related to telemedicine. She mentioned the plan is to put that on hold until more is received from the General Assembly.

Ms. Wucinski noted interaction related to a telemedicine bill. She mentioned that it affects them, where licensees will be able to practice telemedicine, which they are already doing, but noted it is caught up in the Department of Insurance because of billing and reimbursement issues.

Ms. Wucinski explained that the version of the telemedicine bill currently being reviewed says that anyone practicing telemedicine is held to the same standard of care as in person.

Raina Workman, Executive Policy Specialist, on behalf of Debra Bogen, stated Senator Vogel, who had previously introduced the telemedicine bill, has shifted more to an insurance focus with the bill this

session.

Chair Woodland commented that the appropriate reimbursement for telemedicine is critical, because they are spending much more time on telehealth issues. He noted it to be a meaningful interaction with patients but also noted seeing issues where telehealth could be abused or misused. He emphasized that telehealth is a satisfier for physicians, providers, and for patients by promoting access to care.

Ms. Wucinski noted Susan DeSantis commented that the bill passed the Senate and the House. She mentioned that the point of putting the regulation aside is because it will require changes once the law passes, and they wanted all boards to be consistent with the regulatory language.]

Report of Board Counsel - 16A-4962 - Final-Omitted

Annex - Opioid Treatment Programs

[Shana M. Walter, Esquire, Senior Board Counsel,
referred to 16A-4962, which is the final-omitted
annex regarding opioid treatment programs. She
explained that the regulation makes the Board's
regulations consistent with the Substance Abuse and
Mental Health Services Administration (SAMHSA)

regulations regarding in-person physical evaluations for individuals attending opioid treatment programs.

Chair Woodland informed Board members that this is limited to opioid treatment programs only, and they are talking about controlled substances.

Ms. Walter further explained that it is limited to controlled substances that have been approved by the FDA for medication for opioid use disorder (MOUD), noting methadone and buprenorphine are the current controlled substances approved by the FDA for MOUD.

Chair Woodland noted the importance of understanding what is and is not classified as controlled substances.

Ms. Walter stated some items were waived by the federal government and Governor Wolf concerning inperson physical examinations during the opioid epidemic. She reported great success in the federal regulations through SAMHSA in the opioid treatment programs, waivers, and things of that nature.

Ms. Walter mentioned SAMHSA made final regulations that encompassed several of the COVID-related waivers and updated the SAMHSA regulations generally. She noted one of those waivers allowed an opioid treatment program (OTP) to provide opioid

treatment to a patient as long as they do the physical examination within 14 days. She stated federal regulators received more than 300 comments and did a ton of research to find that it is an effective way to manage the opioid crisis in our country.

Ms. Walter stated the way their regulations are written would prohibit practitioners from prescribing MOUD without an in-person physical examination first. She mentioned that the bill corrects that and is only related to opioid treatment programs and requested approval for the final-omitted rulemaking.

Chair Woodland stated medication-assisted therapy for opioid use disorder works and emphasized the importance of facilitating continuance of medication-assisted therapy (MAT) and access to therapy in a meaningful way for their citizens and patients who struggle with opioid use disorder.]

MS. WALTER:

We are seeking to proceed with this as final-omitted rulemaking because it would be contrary to public interest for many of the reasons that Dr.

Woodland set forth to proceed with the proposed rulemaking process.

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I move for adoption by the Board of
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                  the annex at 16A-4962 and direct
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3
                  regulatory counsel to proceed with the
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                  steps necessary for final-omitted
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                  rulemaking or any alternative if the
 6
                  final-omitted rulemaking is not
7
                  approved to move forward with the
8
                  proposed rulemaking process.
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   DR. YEALY:
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                  So moved.
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   DR. KUTZ:
                  Second.
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   CHAIR WOODLAND:
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                  Any further discussion on this? Could
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                  we have a roll call vote?
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                  Mr. Claggett, aye; Dr. Woodland, aye;
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                  Dr. Yealy, aye; Mr. Dillon, aye; Dr.
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                  Ripchinski, aye; Mr. Eisenhauer, aye;
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                  Ms. Workman, abstain; Dr. Kutz, aye;
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                  Dr. Udekwu, aye.
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   [The motion carried. Raina Workman abstained from
23
   voting on the motion.]
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25
   Report of Board Counsel - FYI - HB 2295 - Right to
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- 1 Practice Medicine, Medically Related Acts, and
- 2 Surgery
- 3 | [Dana M. Wucinski, Esquire, Acting Senior Board
- 4 Counsel, addressed House Bill 2295 entitled
- 5 | Supervising Physicians. She stated physician
- 6 assistants are currently licensed by either the State
- 7 | Board of Medicine or the State Board of Osteopathic
- 8 Medicine or both.
- 9 Ms. Wucinski explained that the supervising
- 10 physician must be licensed by the same board as the
- 11 physician assistant but is not always practical
- 12 because physician assistants (PAs) often work with
- 13 allopathic physicians and osteopathic physicians.
- 14 | She mentioned PAs sometimes switch physicians and
- 15 find themselves in a scenario where their supervising
- 16 physician is licensed under a different board. She
- 17 stated the legislation is an attempt to fix to allow
- 18 | a supervising physician to be licensed under either
- 19 board.
- 20 Ms. Wucinski noted reaching out to both boards
- 21 after being asked to do a bill analysis, where boards
- 22 have some question as to whether the language in the
- 23 bill is sufficient, given the difference in the
- 24 regulations for the Osteopathic Board and Medical
- 25 Board and the question of what rules, laws, and

regulations the physician assistant would follow if they are licensed under one board, but their supervising physician is licensed under another.

Ms. Wucinski noted providing some suggestions with the bill analysis, and it is working its way way through the process.

Chair Woodland asked whether the Osteopathic
Board has thought of things their Board has not and
whether their Board could enhance it.

Ms. Wucinski referred to House Bill 2294 and House Bill 2295. She informed Board members of a suggestion made during the osteopathic medicine meeting that it should be more of a reciprocal license, where a physician assistant who applies under one board would automatically get a license under another board and would hold licensure. She noted the idea is supported and currently being worked out right now.

Chair Woodland asked how other states that have legacy two boards are handling this issue and whether it pushes the issue that they are putting a lot of stop gaps and work arounds to accommodate the two-board system.

Ms. Wucinski noted Susan DeSantis commented that the bill is currently in the Rules Committee, and the

Pennsylvania Society of Physician Assistants (PSPA) would prefer a reciprocity license between the two boards as an option. She also mentioned there are only five states that have two boards.

Chair Woodland asked whether the other states have reciprocity laws and how it is managed in other states.

Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants, explained that the five remaining states have an individual license under each board. She pointed out that athletic trainers have the option even under their own board, where it is written right into their acts that if they have a license under one board that they would have a license under the other. She explained that there is already precedence for having this, and having a license under both boards could be an option.

Ms. DeSantis stated having a PA license under both boards does give flexibility and additional cost. She explained that the bill was brought forward because the primary supervising physicians first using PAs were all medical doctors (MDs) and were maxed out. Pas then started utilizing doctors of osteopathic medicine (DOs) as primary supervising physicians, and that is when they realized it would

1 be a several-month delay to get the PAs licensed on 2 that DOs' side.

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Ms. DeSantis commented that the intent was fantastic by increasing flexibility and utilizing work staff where needed and not causing more confusion in terms of following a certain practice because they have a supervisor who is on the opposite board.

Dr. Yealy commented that many of the shackles about practice, particularly with physician assistants, are relics of the past and emphasized the importance of helping to enhance flexibility without jeopardizing supervisor relationships. He stated the Board should be behind this, not only with the Osteopathic Board, but with anyone involved in legislation drafting and/or approval.]

* * *

Report of Board Counsel - FYI - SB 1165 - Criminal

History Background Checks

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

informed Board members that Senate Bill 1165 passed

22 | 46 to 4 in the Senate on June 5 and will go to the

23 House for consideration. She stated the bill would

24 require Federal Bureau of Investigation (FBI)

25 background checks for healthcare practitioners.

Ms. Walter explained that the next steps are for either the House Professional Licensure Committee or Senate Consumer Protection and Professional Licensure Committee to move the Senate or the House bill version of the bill to a vote and send it to the governor for signature. She noted the bill is integral to licensure compacts for healthcare professionals.

Chair Woodland stated FSMB's Interstate Medical Licensure Compact (IMLC) Report just came out and noted the number of physicians who apply for licenses through the IMLC, as well as the number of licenses that have been granted, is impressive and believed that will continue to grow, especially with the utilization of telehealth. He noted being excited about moving forward and getting close to being able to use IMLC for the state of Pennsylvania and asked whether they have a timeline.

Ms. Walter did not have a timeline but noted they would provide updates of any progress. She informed everyone that the bill could be tracked on the Pennsylvania House or Senate website.]

* * *

Report of Board Counsel - Discussion on Act 79 of 2021 - Ratio Waiver Requests

[Dana M. Wucinski, Esquire, Acting Senior Board
Counsel, addressed Act 79 of 2021 regarding
supervising physician ratio waiver requests. She
explained that a supervising physician could not be
responsible for more than four physician assistants
prior to the passing of Act 79, which changed that to
six unless a waiver is granted by the Board.

Ms. Wucinski reported some confusion in the licensing community about how a waiver request can be submitted to the Board.

Mr. Ali explained that the Medical Practice Act requires good cause to be shown when written agreement waiver requests are being made by supervising physicians to add more than six physician assistants and six written agreements are made.

Mr. Ali further explained that the written agreement waiver request statement must include an explanation from the supervising physician that details the amount of additional physician assistants that the supervising physician is requesting, as well as the reason why the request is being made to add additional physician assistants and written agreements for the supervising physician.

Mr. Ali noted the request may be sent to the Board by mail or email and will be reviewed by the

Board on a case-by-case basis. He stated the supervising physician will be notified regarding their next steps for initiating any additional written agreements after a decision is made by the Board.

Chair Woodland asked when a waiver request would come to the Board after the administrative process.

Mr. Ali explained that request will be brought to the Board for a formal vote on whether or not to approve the request once he receives the waiver request from the supervising physician via mail or email.

Chair Woodland asked whether the limit is cumulative for nurse practitioners, PAs, and midwives or specific to PAs.

Ms. Wucinski explained that the limit of six is only for PAs.

Chair Woodland commented that there are always access issues and emphasized the importance of providers of all levels being encouraged to be included in the healthcare workforce, but they also need physician supervision to help monitor some of these situations.

Ms. Wucinski referred to a comment from Susan

DeSantis asking whether they can be sent to the Board

Administrator's attention directly, and Mr. Ali answered yes. She also noted a question about whether instructions concerning the waiver could be added to the State Board of Medicine's website.

5 Acting Commissioner Claggett approved adding the 6 instructions to the website.]

7

For the Board's Information - Board Meeting Dates
[Mark B. Woodland, M.S., M.D., FACOG, Chair, noted
2024 and 2025 meeting dates are listed on the agenda
and requested Board members notify the Board of any
conflicts with the meeting dates.]

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14 Report of Board Chair

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15 [Mark B. Woodland, M.S., M.D., FACOG, Chair, noted

16 June National Health Observances are Alzheimer's and

17 | Brain Awareness Month, Sickle Cell Disease Day and

18 Month, as well as National Human Immunodeficiency

19 Virus (HIV) testing Day on June 27.

20 Chair Woodland reported an estimated 6.9 million

21 Americans age 65 and older have some type of

22 Alzheimer's disease or dementia, which is about

23 almost 11% of the population. He noted the

24 | importance of contending with this issue. He also

25 reported Europe population-based studies to be much

less at about 6.4% and 4% worldwide of age 60 and older.

Chair Woodland noted World Sickle Cell Day is observed on June 19 to increase sickle cell awareness. He reported sickle cell disease affects over 100,000 people in the United States with more than 90% identified as non-Hispanic Black or African American and an estimated 3-9% are Hispanic or Latino. He mentioned that life expectancy for those who have sickle cell disease is 20 years shorter than the national average of American citizens.

Chair Woodland stated National HIV Testing Day is on June 27 and comes during Pride Month because HIV had predominantly affected the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community originally. He stated HIV has become more of a management of a chronic disease and would like to see people utilize HIV testing as not only a screen for HIV but also a preventative-type process to facilitate treatment and survival.

Chair Woodland noted the goal was to have a decreased number of new diagnoses of HIV over the years but saw an increase in the number of HIV diagnoses that may be related to education and access to treatment as well as COVID. He recognized June is

considered Pride Month for the LGBTQ community and emphasized the importance of awareness of health concerns of the LGBTQ community throughout the state of Pennsylvania and the country.

Chair Woodland mentioned that Dr. Levine took
this on as one of her platform items when she was the
secretary of health and is something that needs to be
stressed that these individuals do seek care from
providers in their communities and need to have
access of care in a very meaningful, unjudgemental,
non-discrimnating way.

Chair Woodland noted Juneteenth National
Independence Day became a federal holiday in the
United States to commemorate the ending of slavery in
the United States. He mentioned having significant
progress in some of those issues but also recognized
health inequities in some of the African American
communities, including OB/GYN and maternal health.

Chair Woodland provided FSMB's United States

Medical Licensing and Disciplinary Data Report

through 2023 for the Board's review. He noted the

report looks at over 1 million licensed physicians in

the country and provides data, including

demographics. He mentioned they comment about what

is represented by the international medical graduates

1 and their contributions to healthcare in the United 2 States.

Chair Woodland noted discussion between the FSMB, the Accreditation Council for Graduate Medical Education (ACGME), and the the Association of American Medical Colleges (AAMC) on improving and increasing the workforce in the United States for physicians, including the international medical graduates as well.

Chair Woodland addressed the Interstate Medical Licensure Compact Commission Report, noting greater than 25,000 physicians had access and provided over 100,000 licenses.

Chair Woodland highlighted AAMC updates from their policy and advocacy statements, including the recent Supreme Court of the United States (SCOTUS) decision on mifepristone and access that was supportive.

Chair Woodland informed Board members that U.S.

House members introduced a resolution designating

June 10-14 as Academic Medicine Week. He stated

Representatives Castor and Fitzpatrick introduced

this as a congressional resolution noting that

medical schools, teaching hospitals, and faculty

positions play a vital role in ensuring high quality

medical care for all Americans.

Chair Woodland noted academic medicine impacts not only education and access to care for patients but also impacts communities. He emphasized the importance of encouraging communities and citizens to be supportive of the educational process as a means of increasing quality of care as well as workforce.

Chair Woodland informed Board members that AAMC is really watching the ownership and consolidation of healthcare companies and corporatization of medicine. He noted AAMC has written to the Federal Trade Commission (FTC), Department of Justice (DOJ), and Department of Health and Human Services (HHS) about the private equity business model and what that looks like as far as healthcare and the risk therein.

Chair Woodland noted AAMC cited the Hahnemann University Hospital closure as an example of what can happen. He noted they made recommendations on policies to review and potentially put in place and some policies looking at private equity ownership of healthcare companies as it continues to grow through the country. He noted closures of hospitals and consolidation of systems have a grand effect on their communities from not only access to care but also the access to a facility for care.

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Chair Woodland mentioned that the Olympics are
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   coming up, and there may be some good things to talk
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   about at the August meeting.]
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   Report of Vice Chair - No Report
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   Report of Acting Commissioner - No Report
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   Report of Department of Health - No Report
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   Report of Committee on Health-Related Professionals -
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     No Report
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                              * * *
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   Report of Committee on Legislation/Policy Development
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     and Review
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   [Michael R. Ripchinski, M.D., MBA, CPE, FAAFP, had
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   nothing to report concerning policy or legislation.
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   He informed Board members that he was recently
19
   contacted by the Pennsylvania Academy of Family
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   Physicians (PAFP) regarding physicians in the
21
   Commonwealth through the PAFP asking about their
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   compliance or mirroring of the Dr. Lorna Breen
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   Heroes' Foundation requirements for mental health and
24
   physical question on their application.
25
        Dr. Ripchinski noted prior Board discussion in
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the past and reported question 11 is now aligned with what the foundation would like to see and with the Pennsylvania Licensing System (PALS) application.

Dr. Ripchinski stated one of the requests from physician constituents in the Commonwealth is for the Board to officially register with the Dr. Lorna Breen Heroes' Foundation to be recognized among the 30+ states that have made the change to the application.

Dr. Yealy commented that the Board has been aligned with new language for a period of time, and it is just making sure that the Dr. Lorna Breen Heroes' Foundation is aware of and can update this. He noted it to be the right thing to do, and the way they ask the question is correct as far as language.

Ms. Walter stated the language aligns with language from the foundation, and Acting Commissioner Claggett can confirm that across all applications, not just the Medical Board.

Acting Commissioner Claggett confirmed the language is across all applications.

Chair Woodland mentioned that the Board brought that up before as far as being listed.

Ms. Walter believed the Board talked about it and could make a request now that the change has been made.

Chair Woodland suggested placing it on the agenda as a status update to make sure it gets done. He mentioned that the mental health of all of providers is stretched because of the issues within the workforce every day, including corporatization of medicine and electronic medical records. He commented that the electronic medical record was supposed to help them but has in fact increased provider burden.

Chair Woodland stated, as chair of the professionalism and ethics committee for the FSMB, he helped write the FSMB guidelines on artificial intelligence (AI) and medical regulation and expressed concern that AI will push the mental resilience into a place that they will have to be very careful about, not to mention the financial systems of that.

Chair Woodland noted FSMB's Board of Directors

Meeting is in early July 2024 and will have more on
that in the August 2024 report.]

21 ***

Report of Committee on Licensure Qualifications

[Gerard F. Dillon, Ph.D., Public Member, informed

Board members that the committee received

approximately 60 cases during the first six months of

the year. He noted the individuals are those mostly who have taken a pathway in meeting requirements for license licensure that differ from most applications.

Mr. Dillon explained that the job of the committee is to evaluate their credentials and circumstances for approval. He reported the committee was able to support about half of those cases, so the applications could be expedited and did not have to go to the full Board meeting.

Mr. Dillon thanked Dr. Kutz, Dr. Yealy, and Mr. Eisenhauer for their hard work as committee members.

Chair Woodland commented that the committee has facilitated resolving issues with the applications before it comes to the Board and is an efficient type of utilization of time. He noted appreciation to committee members and mentioned that a lot of effort goes into the applications. He also mentioned that Board Counsel takes it very seriously and helps the Board not only protect the citizens of the Commonwealth but also support the applicants in the licensure process.]

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23 Report of Board Administrator - No Report

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25 | [Mark B. Woodland, M.S., M.D., FACOG, Chair, thanked

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everybody for their participation in the State Board
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2
   of Medicine and their activities. He mentioned
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   several Pennsylvanians have made the Olympic Team and
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   encouraged support for those individuals and seeing
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   them move forward. He noted the next scheduled Board
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   meeting is August 6, 2024.]
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   Adjournment
   CHAIR WOODLAND:
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                  Motion to adjourn and regroup on August
11
                  6.
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   DR. YEALY:
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                  So moved.
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   DR. KUTZ:
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                  Second.
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16
   [There being no other business, the State Board of
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   Medicine Meeting adjourned at 11:55 a.m.]
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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.

Madeline Helmstetter,

Minute Clerk

Sargent's Court Reporting Service, Inc.

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		June 25, 2024
	TIME	AGENDA
	8:45 10:30	Executive Session Return to Open Session
	10:30	Official Call to Order
	10:31	Introduction of Board Members/Attendees
	10:35	Acknowledge Public - Turn Off Electronic Devices
	10:35	Approval of Minutes
	10:37	Report of Prosecuting Attorneys
	10:53	Report of Board Counsel
	10:58	Applications for Licensure
	11:05	Ratifications
	11:06	Miscellaneous
	11:09	Report of Board Counsel (cont.)
	11:34	For the Board's Information/Discussion
	11:34	Report of Board Chair
	11:45	Report of Committee on Legislation/Policy Development and Review
	11:50	Report of Committee on Licensure Qualifications
	11:55	Adjournment