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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: 10:29 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Wednesday, April 10, 2024

1 State Board of Osteopathic Medicine

2 April 10, 2024

3
4
5 BOARD MEMBERS:

6
7 Arion R. Claggett, Acting Commissioner, Bureau of
8 Professional and Occupational Affairs
9 Sirisha Reddy, Special Assistant, on behalf of Debra
10 L. Bogen, M.D., FAAP, FABM, Acting Secretary of
11 Health
12 John B. Bulger, D.O., MBA, Chairman
13 Hillary D. Snyder, MSPAS, PA-C, Vice Chairperson
14 Thomas S. Dardarian, D.O. - Absent
15 Joseph M. Zawisza, D.O.
16 Jonathan P. Oline, D.O.
17 Randy G. Litman, D.O.
18
19

20 BUREAU PERSONNEL:

21
22 Dana M. Wucinski, Esquire, Board Counsel
23 Jacqueline A. Wolfgang, Esquire, Regulatory Counsel
24 Keith E. Bashore, Esquire, Board Prosecution Liaison
25 Jason T. Anderson, Esquire, Board Prosecutor
26 Mark R. Zogby, Esquire, Board Prosecutor
27 Adam J. Williams, Esquire, Board Prosecutor
28 Kelsey B. Ashworth, Esquire, Board Prosecutor
29 Berk V. Demiral, Esquire, Board Prosecutor
30 Priscilla Turek, Board Administrator
31 Kathleen Kotula, Esquire, Chief Counsel, Department
32 of State
33 Cynthia K. Montgomery, Esquire, Deputy Chief Counsel,
34 Counsel Division, Department of State
35 Carolyn A. DeLaurentis, Esquire, Executive Deputy
36 Chief Counsel, Department of State
37 Michael McDonald, Policy Director, Department of
38 State
39 Andrew LaFratte, MPA, Deputy Policy Director,
40 Department of State
41 Holly Hoffman, Law Clerk, Department of State
42
43

44 ALSO PRESENT:

45
46 Andrea Wandling, Human Resources Manager,
47 Pennsylvania Association of Community Health
48 Centers
49 Wesley J. Rish, Esquire, Rish Law Office, LLC
50

State Board of Osteopathic Medicine

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ALSO PRESENT:

Andy Sandusky, Executive Vice President, Public Policy and Association Affairs, Pennsylvania Osteopathic Medical Association

Misha Patel, M.D., Curriculum Education Assistant, Geisinger Commonwealth School of Medicine

Rebecca Belles, LGC, Geisinger Danville - Genetics
Tanner Mobley, The Trevor Project

Ashleigh Strange, Executive Director, Governor's Advisory Commission on LGBTQ Affairs

James Ansell, Information Technology Generalist, Pennsylvania Office of Administration

Michael

Derek Richmond, Sargent's Court Reporting Service, Inc.

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1 ***

2 State Board of Osteopathic Medicine

3 April 10, 2024

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:30 a.m. the Board entered into Executive Session
7 with Dana M. Wucinski, Esquire, Board Counsel, for
8 the purpose of conducting quasi-judicial
9 deliberations on a number of matters that are
10 currently pending before the Board and to receive the
11 advice of counsel. The Board returned to open
12 session at 10:29 a.m.]

13 ***

14 The regularly scheduled meeting of the State
15 Board of Osteopathic Medicine was held on Wednesday,
16 April 10, 2024. John B. Bulger, D.O., MBA, Chairman,
17 called the meeting to order at 10:29 a.m.]

18 ***

19 Introduction of Board Members/Attendees

20 [Priscilla Turek, Board Administrator, provided an
21 introduction of Board members, staff, and attendees.]

22 ***

23 Approval of minutes of the February 14, 2024 meeting

24 CHAIRMAN BULGER:

25 The first item on the agenda is the

1 approval of minutes. Are there any
2 additions, deletions, or corrections to
3 the minutes? Hearing none.

4 Could I have a motion to approve
5 the minutes?

6 DR. LITMAN:

7 Motion to approve.

8 CHAIRMAN BULGER:

9 Could I have a second?

10 ACTING COMMISSIONER CLAGGETT:

11 Second.

12 CHAIRMAN BULGER:

13 Any further discussion? Hearing none.
14 We'll record the vote.

15
16 Dr. Bulger, aye; Hillary Snyder, aye;
17 Joseph Zawisza, aye; Dr. Oline, aye;
18 Dr. Litman, aye; Sirisha Reddy, aye;
19 Arion Claggett, aye.

20 [The motion carried unanimously.]

21 ***

22 Report of Prosecuting Attorneys

23 [Keith E. Bashore, Esquire, Board Prosecutor,
24 presented the Consent Agreements for VRP Case No. 24-
25 53-003040 and Case No. 24-53-000291.]

1 ***

2 [Mark R. Zogby, Esquire, Board Prosecutor, presented
3 the Consent Agreement for Case No. 21-53-005670.]

4 MS. WUCINSKI:

5 At agenda item 3, I believe the Board
6 would entertain a motion to adopt the
7 VRP Consent Agreement and Order at Case
8 No. 24-53-003040.

9 CHAIRMAN BULGER:

10 Could we have a motion?

11 ACTING COMMISSIONER CLAGGETT:

12 So moved.

13 DR. LITMAN:

14 Second.

15 CHAIRMAN BULGER:

16 Any discussion? Hearing none. We'll
17 record the vote.

18
19 Mr. Claggett, aye; Dr. Bulger, aye; Ms.
20 Snyder, aye; Dr. Zawisza, aye; Dr.
21 Oline, aye; Dr. Litman, aye; Ms. Reddy,
22 aye.

23 [The motion carried unanimously.]

24 ***

25 [Dana M. Wucinski, Esquire, Board Counsel, noted the

1 Board entered into Executive Session this morning for
2 the purpose of conducting quasi-judicial
3 deliberations on the matters before the Board and to
4 receive the advice of counsel.]

5 ***

6 MS. WUCINSKI:

7 At agenda item 4, I believe the Board
8 would entertain a motion to adopt the
9 Consent Agreement and Order at Case No.
10 24-53-000291.

11 CHAIRMAN BULGER:

12 Could we have a motion?

13 ACTING COMMISSIONER CLAGGETT:

14 So moved.

15 DR. LITMAN:

16 Second.

17 CHAIRMAN BULGER:

18 Any discussion? Hearing none. We'll
19 record the vote.

20

21 Mr. Claggett, aye; Dr. Bulger, aye; Ms.
22 Snyder, aye; Dr. Zawisza, aye; Dr.
23 Oline, aye; Dr. Litman, aye; Ms. Reddy,
24 aye.

25 [The motion carried unanimously. The Respondent's

1 name is Roy J. Sartori, D.O.]

2 ***

3 MS. WUCINSKI:

4 At agenda item 5, I believe the Board
5 would entertain a motion to adopt the
6 Consent Agreement and Order at Case No.
7 21-53-005670.

8 CHAIRMAN BULGER:

9 Could we have a motion, please?

10 ACTING COMMISSIONER CLAGGETT:

11 So moved.

12 DR. LITMAN:

13 Second.

14 CHAIRMAN BULGER:

15 Any discussion? Call the roll for the
16 vote, please.

17

18 Mr. Claggett, aye; Dr. Bulger, aye; Ms.
19 Snyder, aye; Dr. Zawisza, aye; Dr.
20 Oline, aye; Dr. Litman, aye; Ms. Reddy,
21 aye.

22 [The motion carried unanimously. The Respondent's
23 name is Theodore J. Colterelli, D.O.]

24 ***

25 Report of Board Counsel - Regulatory Status Report

1 [Jacqueline A. Wolfgang, Esquire, Regulatory Counsel,
2 referred to the Status of Regulations Report for the
3 Board's review.

4 Ms. Wolfgang informed Board members that she and
5 Board Counsel worked on a response for the Office of
6 Attorney General regarding the licensure requirements
7 and Act 41 regulation. She reported sending the
8 response on April 4, 2024, and the regulation would
9 be delivered as proposed as soon as a response is
10 received from the Office of Attorney General.]

11

12 Report of Board Counsel - 16A-5340 - Conversion

13 Therapy Statement of Policy Final Preamble and
14 Annex

15 [Jacqueline A. Wolfgang, Esquire, Regulatory Counsel,
16 addressed the statement of policy for conversion
17 therapy. She noted the statement of policy sets
18 forth guidelines that should be considered by
19 licensees regarding conversion therapy on minors.

20 Ms. Wolfgang noted the Shapiro Administration and
21 Department of State are strongly committed to
22 protecting the rights and well-being of lesbian, gay,
23 bisexual, transgender, queer or questioning,
24 intersex, asexual/aromantic/agender (LGBTQIA)
25 Pennsylvanians, especially young members of those

1 communities.

2 Ms. Wolfgang stated Governor Shapiro is calling
3 on the licensing boards to adopt statements of policy
4 clarifying that the practice of conversion therapy
5 may constitute a disciplinable offense.

6 Ms. Wolfgang referred to Executive Order 2022-02,
7 which was adopted by Governor Wolf to protect
8 Pennsylvanians from conversion therapy and supporting
9 LGBTQIA+ Pennsylvanians.

10 Ms. Wolfgang noted Executive Order 2022-02
11 specifically indicates that conversion therapy has
12 been overwhelmingly rejected by the scientific,
13 medical, and educational communities, and numerous
14 professional organizations have denounced conversion
15 therapy due to its lack of scientific validation and
16 negative and dangerous impact on the health and well-
17 being of LGBTQIA+ persons and communities, along with
18 the specific harm it causes to the mental health of
19 LGBTQIA+ children.

20 Ms. Wolfgang stated, under the Executive Order,
21 all agencies of the Governor's jurisdictions were
22 directed to protect Pennsylvanians, including
23 children and youth, from conversion therapy. She
24 noted the Executive Order specifically directs the
25 Department of State to discourage the practice and

1 inform the public of mechanisms to report licensed
2 professionals who cause harm to patients as a result
3 of practicing conversion therapy.

4 Ms. Wolfgang also stated a recent report by a
5 national research and advocacy organization found
6 that conversion therapy is practiced by licensed
7 professionals across the country, including
8 Pennsylvania.

9 Ms. Wolfgang provided information regarding the
10 role of a statement of policy as compared to a
11 regulation. She explained that a statement of policy
12 is a guidance document and basically an announcement
13 to the public of a policy an agency intends to
14 implement in future adjudications. She noted it also
15 serves as a notice to licensees.

16 Ms. Wolfgang stated any agency applying the
17 statement of policy in a particular situation must be
18 prepared to support the policy as if the statement of
19 policy had never been issued. She mentioned that a
20 statement of policy is not a rule to be used in an
21 adjudication or a case. She explained that a
22 regulation establishes a standard of conduct that has
23 a force of law, whereas a statement of policy does
24 not create that binding norm.

25 Ms. Wolfgang explained that the conversion

1 therapy statement of policy provides guidelines that
2 should be considered by licensees to ensure
3 compliance with the practice act and the Board's
4 regulations. She noted the statement of policy
5 explains that being lesbian, gay, bisexual,
6 transgender, queer, questioning, intersex, or asexual
7 is not a disease, disorder, illness, deficiency, or
8 shortcoming.

9 Ms. Wolfgang explained that the statement of
10 policy also announces that a licensee who uses
11 conversion therapy on a minor may be subject to
12 discipline by the Board.

13 Dr. Zawisza commented that there are other areas
14 in medicine concerning what practitioners are doing
15 and expressed a concern for those other areas. He
16 believed they were isolating one specific issue and
17 did not support the statement of policy for
18 conversion therapy.

19 Dr. Litman referred the original study in the
20 Journal of the American Medical Association (JAMA) in
21 2020. He believed the intent of the statement is to
22 take a vulnerable population and allow those
23 individuals the ability not to undergo any kind of
24 treatments before being able to responsibly make that
25 decision on their own. He noted being in support of

1 the statement, because it is preventing anyone from
2 engaging in any medical practices of psychological or
3 physical conversion.

4 Ms. Snyder noted being in support of the
5 statement of policy and mentioned the importance of
6 putting statements out to licensees and the public
7 showing Pennsylvania does not support conversion
8 therapy.

9 Ms. Wolfgang referred to Dr. Zawisza's comments
10 and informed Board members that she could put forth a
11 statement of policy for other issues the Board may
12 want to discuss that are of a concern to the Board.

13 Dr. Oline asked for clarification as to whether
14 the statement of policy would prevent any kind of
15 conversion therapy requested by the the minor or the
16 parents.

17 Ms. Wucinski explained that the statement of
18 policy is guidance. She noted the process will
19 remain the same as it is now for investigating any
20 complaint. She further explained that the complaint
21 would be reviewed by prosecution and an expert to
22 determine whether charges would be filed if the
23 conduct fell below the standard of care.

24 Ms. Wolfgang clarified that it is not a statutory
25 or regulatory ban on conversion therapy. She

1 mentioned the importance of considering the statement
2 of policy as sort of an outreach to the regulated
3 community informing them of how the Board would
4 handle a case. She noted the Department of State has
5 received information on some individuals practicing
6 conversion therapy in the state and wanted to inform
7 the public of the position of the Department of State
8 and current administration.

9 Chair Bulger asked whether the policy
10 materially/pragmatically changes the actions of the
11 Board yesterday versus tomorrow, and Ms. Wucinski
12 noted that it does not.]

13 MS. WUCINSKI:

14 I believe the Board would entertain a
15 motion to approve the statement of
16 policy regarding conversion therapy,
17 16A-5340, and direct regulatory counsel
18 to take the necessary steps to publish
19 the statement of policy in the
20 *Pennsylvania Bulletin*.

21 CHAIRMAN BULGER:

22 Could we have a motion?

23 ACTING COMMISSIONER CLAGGETT:

24 So moved.

25 DR. LITMAN:

1 Second.

2 CHAIRMAN BULGER:

3 Please call the vote.

4

5 Mr. Claggett, aye; Dr. Bulger, aye; Ms.
6 Snyder, aye; Dr. Zawisza, nay; Dr.
7 Litman, aye; Dr. Oline, aye; Ms. Reddy,
8 aye.

9 [The motion carried. Joseph Zawisza opposed the
10 motion.]

11 ***

12 Report of Board Counsel - Other

13 MS. WUCINSKI:

14 Item 8 on the agenda. I believe the
15 Board would entertain a motion to grant
16 the License to Practice as an
17 Osteopathic Physician to Rahul Patel,
18 D.O., subject to monitoring in the DMU.

19 CHAIRMAN BULGER:

20 Could we have a motion?

21 ACTING COMMISSIONER CLAGGETT:

22 So moved.

23 DR. LITMAN:

24 Second.

25 CHAIRMAN BULGER:

1 Any discussion? Hearing none. Call
2 the roll, please.

3
4 Mr. Claggett, aye; Dr. Bulger, aye; Ms.
5 Snyder, aye; Dr. Zawisza, aye; Dr.
6 Oline, aye; Dr. Litman, aye; Ms. Reddy,
7 aye.

8 [The motion carried unanimously.]

9 ***

10 MS. WUCINSKI:

11 Item 9 on the agenda. I believe the
12 Board would entertain a motion to
13 direct Board Counsel to delegate the
14 matter of C.S., D.O., for a hearing to
15 determine whether early release from
16 the Voluntary Recovery Program is
17 appropriate.

18 CHAIRMAN BULGER:

19 Do we have a motion?

20 ACTING COMMISSIONER CLAGGETT:

21 So moved.

22 DR. LITMAN:

23 Second.

24 CHAIRMAN BULGER:

25 Any further discussion? Hearing none.

1 Call the vote.

2

3 Mr. Claggett, aye; Dr. Bulger, aye; Ms.
4 Snyder, aye; Dr. Zawisza, aye; Dr.
5 Oline, aye; Dr. Litman, aye; Ms. Reddy,
6 aye.

7 [The motion carried unanimously.]

8

9 Applications for Licensure

10 MS. WUCINSKI:

11 Agenda item 10 is tabled for now to
12 allow Board Counsel to obtain
13 additional information regarding Dr.
14 Daniel Gold's request to approve his
15 lectures as AOA 1-A credits for
16 reactivation.

17

18 Report of Board Chair - No Report

19 [John B. Bulger, D.O., MBA, Chairman, thanked Dr.
20 Litman for representing the Board next week at the
21 Federation of State Medical Boards (FSMB) Annual
22 Meeting in Nashville, TN.]

23

24 Report of Vice Chair - No Report

25 [Hillary D. Snyder, MSPAS, PA-C, Vice Chair, also

1 thanked Dr. Litman for representing the Board at the
2 Federation of State Medical Boards Meeting.]

3 ***

4 Report of Acting Commissioner - No Report

5 ***

6 Report of Department of Health - No Report

7 ***

8 Report of Board Administrator - No Report

9 [Priscilla Turek, Board Administrator, mentioned that
10 she would also be attending the FSMB Meeting with
11 Dr. Litman.]

12 ***

13 For the Board's Information/Discussion - Board
14 Meeting Dates

15 [John B. Bulger, D.O., MBA, Chairman, noted the 2024
16 and 2025 Board meeting dates. He reminded everyone
17 to be aware of one meeting date that is not on a
18 Wednesday.]

19 ***

20 For the Board's Information/Discussion - Old/New
21 Business - Election for Vacant Board Secretary

22 MS. WUCINSKI:

23 Are there any nominations for the Board
24 Secretary position that was just
25 vacated by Bette Grey leaving the

1 Board?

2 DR. ZAWISZA:

3 I'd like to nominate Randy Litman.

4 CHAIRMAN BULGER:

5 Do we have a second?

6 DR. OLINE:

7 Second.

8 CHAIRMAN BULGER:

9 Any other nominations? Hearing none.

10 MS. WUCINSKI:

11 I believe the Board would entertain a
12 motion to elect Dr. Litman as Secretary
13 of the Board effective immediately.

14 CHAIRMAN BULGER:

15 Do we have a motion?

16 ACTING COMMISSIONER CLAGGETT:

17 So moved.

18 CHAIRMAN BULGER:

19 Do I have a second?

20 DR. LITMAN:

21 Second.

22 CHAIRMAN BULGER:

23 We will record the vote, please.

24

25 Mr. Claggett, aye; Dr. Bulger, aye; Dr.

1 Zawisza, aye; Dr. Oline, aye; Randy
2 Litman, aye; Ms. Reddy, aye; Ms.
3 Snyder, aye.

4 [The motion carried unanimously.]

5 ***

6 [John B. Bulger, D.O., MBA, Chairman, noted the next
7 meeting date is June 5, 2024, and thanked everyone
8 for their help.]

9 ***

10 Adjournment

11 ***

12 [There being no further business, the State Board of
13 Osteopathic Medicine Meeting adjourned at 11:01 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.



Derek Richmond,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF OSTEOPATHIC MEDICINE
REFERENCE INDEX

April 10, 2024

TIME	AGENDA
9:30	Executive Session
10:29	Return to Open Session
10:29	Official Call to Order
10:29	Introduction of Board Members/Attendees
10:32	Approval of Minutes
10:36	Report of Prosecuting Attorneys
10:42	Report of Board Counsel
10:56	Applications for Licensure
10:59	For the Board's Information/Discussion
11:01	Adjournment

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