COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

FINAL MINUTES

MEETING OF:

STATE BOARD OF MEDICINE

TIME: 10:38 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE
2525 N 7th Street,
Eaton conference room
Harrisburg, Pennsylvania 17110
as well as

VIA MICROSOFT TEAMS

Tuesday, January 30, 2024
State Board of Medicine
January 30, 2024

BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
Mark B. Woodland, M.S., M.D., FACOG, Chair - Absent
Donald M. Yealy, M.D., Vice Chair
Gerard F. Dillon, Ph.D., Public Member
Michael Ripchinski, M.D., MBA, CPE, FAAFP
Walter A. Eisenhauer, MMSC, M.Ed., PA-C
Sirisha Reddy, Executive Assistant, on behalf of Debra L. Bogen, M.D., FAAF, FABM, Acting Secretary of Health
John D. Six, M.D.
John A. Kutz, M.D., FACS
Benjamin S. Abella, M.D., MPhil
Catherine N. Udekwu, M.D.

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Senior Board Counsel
Dana M. Wucinski, Esquire, Board Counsel
Heather J. McCarthy, Esquire, Senior Board Prosecutor and Prosecution Liaison
Mark R. Zogby, Esquire, Board Prosecutor
Jason T. Anderson, Esquire, Board Prosecutor
Keith E. Bashore, Esquire, Board Prosecutor
Patrick Greene, Esquire, Board Prosecutor
Kelsey B. Ashworth, Esquire, Board Prosecutor
Adam J. Williams, Esquire, Board Prosecutor
Lindsay Szymanski, Esquire, Board Prosecutor
Saiyad Ali, Board Administrator
Holly Hoffman, Law Clerk, Department of State
Deena Parmelee, Legal Office Administrator 1, Department of State
Carlton Smith, Deputy Chief Counsel, Prosecution Division
Nichole Wray, Division Chief
State Board of Medicine
January 30, 2024

ALSO PRESENT:

Ted Mowatt, CAE, Vice President/Lobbyist, Wanner Associates, on behalf of the Association for Professional Acupuncture
Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants
Angie Armbrust, Senior Associate, McNees-Winter Group LLC
Rebecca Belles, LGC, Genetic Counselor, Geisinger Wesley J. Rish, Esquire, Rish Law Office, LLC
Noor Baban, Drexel University College of Medicine
Jake Newman
O.S.
Wendy Ruderman, Staff Writer, Philadelphia Inquirer
Sophia Mahoney
State Board of Medicine

January 30, 2024

***

[Pursuant to Section 708(a)(5) of the Sunshine Act, at 8:45 a.m. the Board entered into Executive Session with Shana M. Walter, Esquire, Senior Board Counsel, and Dana M. Wucinski, Esquire, Board Counsel, for the purpose of conducting quasi-judicial deliberations on a number of matters currently pending before the Board and to receive the advice of counsel. The Board returned to open session at 10:30 a.m.]

***

The regularly scheduled meeting of the State Board of Medicine was held on Tuesday, January 30, 2024. Donald M. Yealy, M.D., Vice Chair, called the meeting to order at 10:38 a.m.

***

Acknowledge Public - Turn Off Electronic Devices

[Donald M. Yealy, M.D., Vice Chair, informed everyone that the meeting was being recorded, and those who continued to participate were giving their consent to be recorded. He also requested all electronic devices be turned off or muted.]

***

Introduction of Board Members/Attendees
Sargent's Court Reporting Service, Inc.
(814) 536-8908

[Saiyad Ali, Board Administrator, provided an introduction of Board members and attendees.]

***

Approval of minutes of the December 12, 2023 meeting

VICE CHAIR YEALY:

Our first agenda item is to review and approve the minutes of the December 12, 2023 meeting. Those were sent out in advance.

I'd be happy to entertain a motion to approve those minutes.

DR. KUTZ:

I agree.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Any questions or discussions about the minutes? Hearing none. Can we have a roll call for the vote?

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.
[The motion carried unanimously.]

***

Appointment - Annual Prosecution Division Presentation

[Carlton Smith, Esquire, Deputy Chief Counsel, Prosecution Division, informed Board members that he assumed his role in March 2023 when Carolyn DeLaurentis was promoted to the Executive Deputy Chief Counsel position and provided a brief summary of his professional background.

Mr. Smith reported a decrease in the number of Bureau of Professional and Occupational Affairs (BPOA) complaints for all boards and commissions from around 22,000 in 2022 to roughly 19,000 in 2023.

Mr. Smith presented the Prosecution Division's Annual Report for the State Board of Medicine. He reported over 112,000 active licensees with roughly 4,200 opened cases in 2023. He also reported a little over 3,400 open cases and around 4,300 cases closed. He stated the average age to close a case was 308 days. He informed Board members that prosecution's gold standard is to be able to dispose of a case within a year across all boards.

Mr. Smith referred to closed cases and reported 13 fines, 14 reinstatements, 14 reprimands, 15
suspensions, and 11 voluntary surrenders.

Mr. Smith addressed cases where there is no
discipline, including prosecution not warranted and
warning letters. He noted 18 cases under Z01, 2,343
cases where prosecution was not warranted, over 1,100
cases where there is no jurisdiction, and 304 warning
letters in 2023.

Mr. Smith stated warning letters are the most
appropriate course of action when cases are fairly
mundane, where the person does not have an extensive
discipline history or there may be problems from an
evidentiary standpoint. He reported cases under
administrative closings, where the case probably
should not have been opened. He noted 24 Z28 unit 1
cases.

Mr. Dillon asked whether anyone tracks how
frequently there are repeat offenders for the
disciplinary categories. He also asked whether some
categories of discipline do not seem as successful as
other types of discipline.

Mr. Smith stated prosecution has historical
information on licensees, including written warnings,
VRP Agreements, dismissed cases, and other
information. He noted a breakdown of the types of
cases that come in and types of cases investigated.
Vice Chair Yealy thanked Mr. Smith for the presentation.]

***

Report of Prosecuting Attorneys

[Heather J. McCarthy, Esquire, Senior Board Prosecutor and Board Prosecution Liaison, presented the VRP Consent Agreement for Case No. 23-49-017344.]

***

MS. WALTER:

Pursuant to Section 708(a)(5) of the Sunshine Act, the Board entered into Executive Session this morning at 8:45 a.m. to receive the advice of counsel and conduct quasi-judicial deliberations and consider items on the agenda at numbers 4 through 14, 16 through 34, and 42 through 44.

I believe the Board would entertain a motion to approve the VRP Agreement at agenda item 4 at Case No. 23-49-017344.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.
VICE CHAIR YEALY:

Could we do a roll call for the vote?

Mr. Claggett, aye; Dr. Yealy, aye; Mr.
Dillon, aye; Dr. Ripchinski, aye; Mr.
Eisenhauer, aye; Ms. Reddy, aye; Dr.
Six, aye; Dr. Kutz, aye; Dr. Abella,
aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

Jason T. Anderson, Esquire, Board Prosecutor,
referred to Mr. Dillon's question, noting the Board
has the ability to review history as well as when it
comes to a question of discipline. He explained that
the Board approves or denies the proposed consent
agreements and approves or denies the proposed
discipline by the hearing examiner and can review the
adjudications and orders.

Mr. Anderson noted that to be the best way of
stating whether the Board believes something is
working or not working as discipline. He noted that
prosecution reviews the Board's decisions and tries
to make a uniformity when it proposes disciplinary
action in a case.

Mr. Anderson presented the Consent Agreement for
Case No. 19-49-000271, Case No. 19-49-007135, Case No. 19-49-018701, Case No. 21-49-005582, Case No. 22-49-001518, and Case No. 23-49-010307.

MS. WALTER:

I believe the Board would entertain a motion to approve the following Consent Agreements: Number 5, Case No. 19-49-000271; number 6, Case No. 19-49-007135; Number 7, Case No. 19-49-018701; Number 8, Case No. 21-49-005582; Number 9, Case No. 22-49-001518, and Number 10, Case No. 23-49-010307.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Could we have a roll call for the vote?

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously. The Respondent's
name at item 5 is Lori A. Sweeney; item 6, Stephen Paul Krell, M.D.; item 7, Yolanda Francis; item 8, Paul Aubrey Law; item 9, Muhammad Asad Mirza, M.D.; and item 10, Steven Goldberg, PA.]

***

[Keith E. Bashore, Esquire, Board Prosecutor, presented the Consent Agreements for Case No. 23-49-010289 and Case No. 23-49-008781.]

MS. WALTER:

I believe the Board would entertain a motion to reject as too lenient the Consent Agreement at Case No. 23-49-010289.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Anymore conversation? If not, roll call for a vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella,
aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

MS. WALTER:

I believe the Board would entertain a motion to approve the Consent Agreement at item 12 at Case No. 23-49-008781.

DR. KUTZ:

So moved.

ACTING COMMISSIONER CLAGGETT:

Second.

VICE CHAIR YEALY:

Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously. The Respondent's name is Wayne Wei-Teh Liou, M.D.]

***

Report of Board Counsel - Proposed Reports from Hearing Examiner

MS. WUCINSKI:
At agenda item 13, I believe the Board would entertain a motion to direct Board Counsel to rewrite the Proposed Adjudication and Order consistent with deliberations in Executive Session for Danice Blaise, M.D., Case No. 23-49-007946.

DR. KUTZ:
So moved.

DR. ABELLA:
Second.

VICE CHAIR YEALY:

Anymore conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

Report of Board Counsel – Final Adjudications for Board Approval

MS. WUCINSKI:
At agenda item 14, I believe the Board would entertain a motion to adopt as Final the Draft Adjudication and Order for Brenda J. Valentine, LRT, Case No. 22-49-001900.

DR. KUTZ:
So moved.

DR. ABELLA:
Second.

VICE CHAIR YEALY:
Any further conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

Report of Board Counsel – Regulatory Status Report

[Dana M. Wucinski, Esquire, Board Counsel, provided a Regulatory Status Report for the Board's review. She noted she has been working with regulatory counsel to move the regulations and would keep the Board in the]
loop of where each one stands.

Vice Chair Yealy thanked Ms. Wucinski for the report.]

***

Applications - Allied Health Professionals

MS. WUCINSKI:

At agenda items 16 and 17, I believe
the Board would entertain a motion to
 provisionally deny the Application for
a License to Practice as an Athletic
Trainer of Kjerstin Klein and the
Application to Practice as a Behavior
Specialist of Lorveline Salomon.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Any further conversation or dialect?
Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr.
Dillon, aye; Dr. Ripchinski, aye; Mr.
Eisenhauer, aye; Ms. Reddy, aye; Dr.
Six, aye; Dr. Kutz, aye; Dr. Abella,
aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

MS. WUCINSKI:

I believe the Board would entertain a motion to grant the Application to Practice as a Behavior Specialist of Thomas Sheipe.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Any further conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

MS. WUCINSKI:

I believe the Board would entertain a
motion to grant the Application for a license to practice as a Respiratory Therapist of Rosaline Deravil once. Board staff obtains verification of their successful completion of the Kettering Seminar.

DR. KUTZ:
So moved.

DR. ABELLA:
Second.

VICE CHAIR YEALY:
Any conversation or further dialect?
Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

Applications - Unrestricted Physician and Surgeon
MS. WUCINSKI:
At agenda items 20 and 21, I believe the Board would entertain a motion to
grant the following Applications for a License to Practice as a Physician and Surgeon for Snehash Roy Chaudhary, M.D. and Rahul Sanjeev Motwani, M.D.

DR. KUTZ:
So moved.

DR. ABELLA:
Second.

VICE CHAIR YEALY:
Any further conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

MS. WUCINSKI:
At agenda items 22 and 23, I believe the Board would entertain a motion to table the Initial Application for a License to Practice as a Physician and Surgeon for Ruth Namuyinga, M.D. and
Akhilesh Basi Reddy, M.D., to invite them to apply for an institutional license.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Any further conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

MS. WUCINSKI:

I believe the Board would entertain a motion to grant the Initial Application for a License to Practice as a Physician and Surgeon of Anne Marie Schmidt, M.D., and I would note that Dr. Yealy is recused.
DR. KUTZ:
So moved.

DR. ABELLA:
Second.

DR. RIPCHINSKI:
Any further conversation on this item? Hearing none. Let's take a roll call for a vote.

Mr. Claggett, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried. Donald Yealy recused himself from deliberations and voting on the motion.]

***

Applications - Reactivations

MS. WUCINSKI:

I believe the Board would entertain a motion to table agenda items 25 through 27 and send standard reentry letters to the following applicants: Diane Marie Batt, M.D.; Joseph Gegwich, M.D.; Val Wano Finnel, M.D.
DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Any further conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

Ratifications

MS. WUCINSKI:

I believe the Board would entertain a motion to Ratify the granting of the following Applications for a License to Practice as a Physician and Surgeon at agenda items 28 through 34: Mohamed Abdullah, M.D.; Manish Bajaj, M.D.; Dhiraj Baruah, M.D.; Ria Garg, M.D.; Khushboo Gupta, M.D.; Ahmed Mohamed
Sadeek, M.D.; Vaneet Singh, M.D. I would note that Dr. Yealy is recused at agenda item 33, Ahmed Mohamed Sadeek, M.D.

DR. KUTZ:
So moved.

DR. ABELLA:
Second.

DR. RIPCHINSKI:
Any further conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried. Donald Yealy recused himself from deliberations and voting on the motion.]

***

Miscellaneous

MS. WUCINSKI:
I believe the Board would entertain a motion to deny the Reconsideration Request of Courtney Jones, M.D., to
waive the standard reentry requirement.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Any further conversation? Hearing none. Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

MS. WUCINSKI:

At agenda item 41, I believe the Board would entertain a motion to grant the Reconsideration Request of Rim Zayed, M.D., to grant an Unrestricted License to Practice as a Physician and Surgeon.

DR. KUTZ:

So moved.

DR. ABELLA:
Second.

VICE CHAIR YEALY:

Any further discussion? Hearing none.
Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr.
Dillon, nay; Dr. Ripchinski, aye; Mr.
Eisenhauer, aye; Ms. Reddy, aye; Dr.
Six, aye; Dr. Kutz, aye; Dr. Abella,
aye; Dr. Udekwu, aye.

[The motion carried. Gerard Dillon opposed the
motion.]

***

[Dana M. Wucinski, Esquire, Board Counsel, referred
to agenda item 42 and informed Board members that a
Memorandum Opinion was issued in the federal case of
Zafar Iqbal, M.D. v. BPOA State Board of Medicine.
She noted it was issued by federal magistrate Judge
Patricia Dodge, dismissing the civil action against
the Board with prejudice.]

MS. WUCINSKI:

At agenda items 43 and 44, I believe
the Board would entertain a motion to
deny the USMLE Sponsorship request of
Oluwafisayo Fasanmi and Mohamad
AbouKhalil.

DR. KUTZ:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Any further discussion? Hearing none.
Roll call for the vote.

Mr. Claggett, aye; Dr. Yealy, aye; Mr. Dillon, aye; Dr. Ripchinski, aye; Mr. Eisenhauer, aye; Ms. Reddy, aye; Dr. Six, aye; Dr. Kutz, aye; Dr. Abella, aye; Dr. Udekwu, aye.

[The motion carried unanimously.]

***

For the Board's Information/Discussion - Old Business/New Business

[Shana M. Walter, Esquire, Senior Board Counsel, addressed the discussion regarding the Educational Commission for Foreign Medical Graduates (ECFMG) certification expiration. She believed the United States Medical Licensing Examination (USMLE) Step 2 Clinical Skills Examination was discontinued in 2021 but not the Clinical Knowledge Examination.]
Ms. Walter noted ECFMG determined that another pathway for certification was necessary. She stated the additional pathway program resulted in the Board receiving ECFMG certificates with an expiration date of December 31, 2024. She mentioned that information on ECFMG's website showed the intent is to allow this expiration window so that international medical graduates could obtain Accreditation Council for Graduate Medical Education (ACGME) training.

Ms. Walter reported that ECFMG announced that the 2024 expiration would be extended until December 31, 2025, and ECFMG certificates with an expiration date of December 31, 2025, would be given an additional year until 2026. She mentioned the Board requires ECFMG for certain license types and unrestricted license types because the regulations were written before USMLE Step 2 CS was discontinued.

Ms. Walter noted the regulations state that an applicant needs to be certified, so the Board is looking at the applications and the expiration of the certification just as it looks at every other application that it receives.

Vice Chair Yealy commented that it is interesting evolution and clearly has the potential to influence their procedures, probably not as much as it might
seem on first glance but is something all need to understand.]

***

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

[Donald M. Yealy, M.D., Vice Chair, noted 2024 and 2025 Board meeting dates are listed on the agenda.]

***

Miscellaneous

[Donald M. Yealy, M.D., Vice Chair, noted the Sunshine Act and Recusal Guidelines for the Board's review. He informed everyone that the Board takes limiting conflicts of interest very seriously and have vigorous conversations concerning when to participate.

Ms. Walter explained that the purpose of the Sunshine Act is to allow the public to be present at all meetings to witness deliberations, policy formulation, and what the Board does.

Ms. Walter stated the meeting must be open to the public any time an official action is taken by the Board, and notice of the meeting must also be provided. She addressed official action and publication.

Ms. Walter noted the requirement of recording of
votes and requirement of written minutes for all open meetings. She mentioned that the only exceptions to open meeting requirements are Executive Sessions and conferences. She addressed the purpose of Executive Session.

Ms. Walter explained that legal challenges under the Sunshine Act must be filed within 30 days of the date of the meeting or discovery of an act occurred.

Ms. Walter stated Board members should not discuss agency business, especially Executive Session matters outside of an official Board meeting.

Ms. Walter noted committee meetings discussing regulations and policies should take place in an open meeting with appropriate public notice but committees performing administrative functions, reviewing applications, or performing prosecutorial functions are not open to public meetings.

Ms. Walter mentioned that Board members will not vote on a matter if they are related in any way or believe that they are unable to be impartial. She addressed conflicts of interest, where no member of any professional board shall at the same time be an officer or an agent of a statewide association or organization. She also noted public Board members requirements for their review.
Vice Chair Yealy noted having nearly a full complement of the Board and believed the rules, regulations, and guardrails serve everybody well. He thanked Acting Commissioner Claggett and Board Counsel for keeping the Board focused.]

***

Miscellaneous - House Bill 1873 - Temporary License for Internationally Trained Physicians

[Dana M. Wucinski, Esquire, Board Counsel, addressed House Bill 1873, noting the bill would grant a temporary license to a graduate of an international medical school who has performed the duties of a physician at least three years outside of the United States if they can demonstrate competency

Ms. Wucinski stated competency would be determined by the Board, where they must be in good standing with the Board two years after the issuance of the temporary license and have sufficient evidence that the temporary licensee has a job offer as a physician at a healthcare facility that operates within the Commonwealth.

Ms. Wucinski noted that Board members are able to send any suggestions or comments to her concerning the bill. She also informed Board members that she would reach out to the Board for their input if asked
to complete a bill analysis.]

***

Miscellaneous - Council of Colleges of Acupuncture and Herbal Medicine (CCAHM) Clean Needle Technique Clarification - Pennsylvania

[Dana M. Wucinski, Esquire, Board Counsel, noted the correspondence received by Board staff from the Council of College of Acupuncture and Herbal Medicine regarding trainings that may attempt to offer certificates of clean needle technique for the Board's review.]

***

Report of Acting Commissioner

[Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs, informed Board members that he receive quite a bit of feedback regarding the Department of Health's Survey attached to their renewals. He noted the feedback was regarding the length of the survey and sexual preference question. He mentioned working with the Department of Health over the past year to reduce the number of questions and removing the sexual preference question. He stated it would be reflected in the next renewal for the next quarter.

Acting Commissioner Claggett informed Board
members that he received information from Rebecca
Belles to share with the Board. He apologized to Ms.
Belles because he did not share the information but
sent it off to the policy office. He informed Ms.
Belles that it would be listed on the next Board
meeting in March to give the Board time to review her
proposed legislation.]

***

Report of Department of Health - No Report

***

Report of Committee on Health-Related Professionals -
No Report

***

Report of Committee on Legislation/Policy Development
and Review - No Report

***

Report of Committee on Licensure Qualifications

[Gerard F. Dillon, Ph.D., Public Member, mentioned
that the Committee on Licensure Qualifications put
together a draft document that was intended to begin
to identify the issues that they might look to if the
Board was ever required to establish whether or not
the licensing systems of other countries were
substantially equivalent to the systems within the
United States.
Mr. Dillon informed Board members that he would like to redistribute the initial draft to all Board members just to identify some initial ideas, noting it would be a refresher for the older members and brand new for the new members.

Vice Chair Yealy commented that the committee has a lot of contact and conversation in between meetings and is focused on carrying out their mission.

***

Report of Board Administrator

[Saiyad Ali, Board Administrator, referred to the Interstate Medical Licensure Compact, noting that the Board cannot provide an expected timeline for the implementation of the Interstate Medical Licensure Compact at this time but informed everyone that the implementation process remains a top priority for the Board.]

***

Report of Board Chair

[Donald M. Yealy, M.D., Vice Chair, provided the Report of Board Chair on behalf of Chair Woodland. He informed everyone that January is National Blood Donor Month, Glaucoma Awareness Month, Cervical Cancer Awareness Month, and National Healthy Weight Awareness Month. He noted January 23 "123" is also
Maternal Health Awareness Day and mentioned that Dr. Woodland has a particular interest, given his practice as an obstetrician/gynecologist, about how maternal health still is an ongoing challenge for the Commonwealth of Pennsylvania and the United States as a whole.

Vice Chair Yealy noted that there is a lot of opportunity to do things better for both mom and the child and a lot of opportunity to enhance access at both the state level as well as the organized medicine level to identify how to do better, particularly in underrecognized and underresourced communities.

Vice Chair Yealy also noted February is Black History Month, American Heart Month, National Canned Food Month, and the Great American Pie Month.

Vice Chair Yealy stated one issue the Board has a lot of interest in that Dr. Woodland has highlighted is the recent venue change law shift that has impacted tort actions, notably malpractice actions in the Commonwealth in Philadelphia and a couple of other locations. He explained that the change in venue guidance and law now allows essentially a malpractice action to be filed in any county in Philadelphia.
Vice Chair Yealy noted the concern is that it will increase the cost of providing medical care in the Commonwealth because of an increase in filings and will paradoxically slow down the appropriation of justice if that is the avenue being used in Philadelphia and a few other counties, where Philadelphia would predominantly become a very popular area to have filings, even if the care had nothing to do with anyone or any location there.

Vice Chair Yealy stated it also means that the ability to draw upon all aspects of a civil action that they all count on is challenged because they are essentially being disproportionately carried out in one environment.

Vice Chair Yealy reported an increase in case filings, and case outcomes are changing, which means more and more plaintiff successful actions, noting it would be passed on not only in malpractice insurance rate costs directly to physicians and other providers in the Commonwealth.

Vice Chair Yealy stated they understand how the change came to be but are not certain that it provides a better platform for everyone in the Commonwealth, including the people who serve and those being served.
Vice Chair Yealy mentioned that Dr. Woodland is one of their representatives to the Federation of State Medical Boards and has an upcoming meeting in April. He noted changes to the USMLE Step 3 passing standard in December 2023 are in Dr. Woodland’s report.

Vice Chair Yealy stated the organization helps individual state medical boards and individual physicians interested in understanding both the science and the opportunities that exist with overseeing medical care in individual locations.

Vice Chair Yealy reported Dr. Tom Nasca, the president and CEO of ACGME, is stepping down from his role about a year from now, and ACGME will be undertaking a national search to try to fill those very big shoes.

Vice Chair Yealy stated the Association of American Medical Colleges (AAMC) has announced some new and simplified fee structures for residency application that is streamlined and user-friendly, noting they want to be able to attract and retain the best talent in the Commonwealth.

Susan DeSantis, PA-C, Pennsylvania Society of Physician Assistants, asked whether there have been any updates on the replacement of the Pennsylvania
Licensing System (PALS).

Acting Commissioner Claggett informed Ms. DeSantis that they are currently scoring some of the vendors they have identified and would provide an update at the next meeting.

***

Adjournment

VICE CHAIR YEALY:

I'm happy to entertain a motion to end the meeting.

MR. EISENHAUER:

So moved.

DR. ABELLA:

Second.

VICE CHAIR YEALY:

Thank you very, very much.

***

[There being no other business, the State Board of Medicine Meeting adjourned at 11:57 a.m.]

***
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.

Sophia Mahoney,
Minute Clerk
Sargent’s Court Reporting Service, Inc.
<table>
<thead>
<tr>
<th>TIME</th>
<th>AGENDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:45</td>
<td>Executive Session</td>
</tr>
<tr>
<td>10:30</td>
<td>Return to Open Session</td>
</tr>
<tr>
<td>10:38</td>
<td>Official Call to Order</td>
</tr>
<tr>
<td>10:40</td>
<td>Acknowledge Public – Turn Off Electronic Devices</td>
</tr>
<tr>
<td>10:40</td>
<td>Introduction of Board Members/Attendees</td>
</tr>
<tr>
<td>10:42</td>
<td>Approval of Minutes</td>
</tr>
<tr>
<td>10:43</td>
<td>Appointment – Carlton Smith, Deputy Chief Counsel, Annual Prosecution Division Report</td>
</tr>
<tr>
<td>10:58</td>
<td>Report of Prosecuting Attorneys</td>
</tr>
<tr>
<td>11:13</td>
<td>Report of Board Counsel</td>
</tr>
<tr>
<td>11:18</td>
<td>Applications for Licensure</td>
</tr>
<tr>
<td>11:26</td>
<td>Ratifications</td>
</tr>
<tr>
<td>11:28</td>
<td>Miscellaneous</td>
</tr>
<tr>
<td>11:31</td>
<td>For the Board’s Information/Discussion</td>
</tr>
<tr>
<td>11:34</td>
<td>Miscellaneous (cont.)</td>
</tr>
<tr>
<td>11:47</td>
<td>Report of Acting Commissioner</td>
</tr>
<tr>
<td>11:48</td>
<td>Report of Committee on Licensure Qualifications</td>
</tr>
<tr>
<td>11:50</td>
<td>Report of Board Administrator</td>
</tr>
<tr>
<td>11:50</td>
<td>Report of Board Chair</td>
</tr>
<tr>
<td>11:57</td>
<td>Adjournment</td>
</tr>
</tbody>
</table>

Sargent’s Court Reporting Service, Inc.  
(814) 536-8908