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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 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

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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., FAAP, 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

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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, McNeese-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

1 State Board of Medicine

2 January 30, 2024

3 ***

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

12 ***

13 The regularly scheduled meeting of the State
14 Board of Medicine was held on Tuesday, January 30,
15 2024. Donald M. Yealy, M.D., Vice Chair, called the
16 meeting to order at 10:38 a.m.

17 ***

18 Acknowledge Public - Turn Off Electronic Devices
19 [Donald M. Yealy, M.D., Vice Chair, informed everyone
20 that the meeting was being recorded, and those who
21 continued to participate were giving their consent to
22 be recorded. He also requested all electronic
23 devices be turned off or muted.]

24 ***

25 Introduction of Board Members/Attendees

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

3

4 Approval of minutes of the December 12, 2023 meeting

5 VICE CHAIR YEALY:

6 Our first agenda item is to review and
7 approve the minutes of the December 12,
8 2023 meeting. Those were sent out in
9 advance.

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

12 DR. KUTZ:

13 I agree.

14 DR. ABELLA:

15 Second.

16 VICE CHAIR YEALY:

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

20

21 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
22 Dillon, aye; Dr. Ripchinski, aye; Mr.
23 Eisenhauer, aye; Ms. Reddy, aye; Dr.
24 Six, aye; Dr. Kutz, aye; Dr. Abella,
25 aye; Dr. Udekwu, aye.

1 [The motion carried unanimously.]

2 ***

3 Appointment - Annual Prosecution Division
4 Presentation

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

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

15 Mr. Smith presented the Prosecution Division's
16 Annual Report for the State Board of Medicine. He
17 reported over 112,000 active licensees with roughly
18 4,200 opened cases in 2023. He also reported a
19 little over 3,400 open cases and around 4,300 cases
20 closed. He stated the average age to close a case
21 was 308 days. He informed Board members that
22 prosecution's gold standard is to be able to dispose
23 of a case within a year across all boards.

24 Mr. Smith referred to closed cases and reported
25 13 fines, 14 reinstatements, 14 reprimands, 15

1 suspensions, and 11 voluntary surrenders.

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

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

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

21 Mr. Smith stated prosecution has historical
22 information on licensees, including written warnings,
23 VRP Agreements, dismissed cases, and other
24 information. He noted a breakdown of the types of
25 cases that come in and types of cases investigated.

1 Vice Chair Yealy thanked Mr. Smith for the
2 presentation.]

3 ***

4 Report of Prosecuting Attorneys
5 [Heather J. McCarthy, Esquire, Senior Board
6 Prosecutor and Board Prosecution Liaison, presented
7 the VRP Consent Agreement for Case No. 23-49-017344.]

8 ***

9 MS. WALTER:

10 Pursuant to Section 708(a)(5) of the
11 Sunshine Act, the Board entered into
12 Executive Session this morning at
13 8:45 a.m. to receive the advice of
14 counsel and conduct quasi-judicial
15 deliberations and consider items on the
16 agenda at numbers 4 through 14, 16
17 through 34, and 42 through 44.

18 I believe the Board would entertain
19 a motion to approve the VRP Agreement
20 at agenda item 4 at Case No. 23-49-
21 017344.

22 DR. KUTZ:

23 So moved.

24 DR. ABELLA:

25 Second.

1 VICE CHAIR YEALY:

2 Could we do a roll call for the vote?

3

4 Mr. Claggett, aye; Dr. Yealy, aye; Mr.

5 Dillon, aye; Dr. Ripchinski, aye; Mr.

6 Eisenhauer, aye; Ms. Reddy, aye; Dr.

7 Six, aye; Dr. Kutz, aye; Dr. Abella,

8 aye; Dr. Udekwu, aye.

9 [The motion carried unanimously.]

10

11 [Jason T. Anderson, Esquire, Board Prosecutor,

12 referred to Mr. Dillon's question, noting the Board

13 has the ability to review history as well as when it

14 comes to a question of discipline. He explained that

15 the Board approves or denies the proposed consent

16 agreements and approves or denies the proposed

17 discipline by the hearing examiner and can review the

18 adjudications and orders.

19 Mr. Anderson noted that to be the best way of

20 stating whether the Board believes something is

21 working or not working as discipline. He noted that

22 prosecution reviews the Board's decisions and tries

23 to make a uniformity when it proposes disciplinary

24 action in a case.

25 Mr. Anderson presented the Consent Agreement for

1 Case No. 19-49-000271, Case No. 19-49-007135, Case
2 No. 19-49-018701, Case No. 21-49-005582, Case No. 22-
3 49-001518, and Case No. 23-49-010307.]

4 MS. WALTER:

5 I believe the Board would entertain a
6 motion to approve the following Consent
7 Agreements: Number 5, Case No. 19-49-
8 00027; number 6, Case No. 19-49-007135;
9 Number 7, Case No. 19-49-018701; Number
10 8, Case No. 21-49-005582; Number 9,
11 Case No. 22-49-001518, and Number 10,
12 Case No. 23-49-010307.

13 DR. KUTZ:

14 So moved.

15 DR. ABELLA:

16 Second.

17 VICE CHAIR YEALY:

18 Could we have a roll call for the vote?

19

20 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
21 Dillon, aye; Dr. Ripchinski, aye; Mr.
22 Eisenhauer, aye; Ms. Reddy, aye; Dr.
23 Six, aye; Dr. Kutz, aye; Dr. Abella,
24 aye; Dr. Udekwu, aye.

25 [The motion carried unanimously. The Respondent's

1 name at item 5 is Lori A. Sweeney; item 6, Stephen
2 Paul Krell, M.D.; item 7, Yolanda Francis; item 8,
3 Paul Aubrey Law; item 9, Muhammad Asad Mirza, M.D.;
4 and item 10, Steven Goldberg, PA.]

5

6 [Keith E. Bashore, Esquire, Board Prosecutor,
7 presented the Consent Agreements for Case No. 23-49-
8 010289 and Case No. 23-49-008781.]

9 MS. WALTER:

10 I believe the Board would entertain a
11 motion to reject as too lenient the
12 Consent Agreement at Case No. 23-49-
13 010289.

14 DR. KUTZ:

15 So moved.

16 DR. ABELLA:

17 Second.

18 VICE CHAIR YEALY:

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

21

22 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
23 Dillon, aye; Dr. Ripchinski, aye; Mr.
24 Eisenhauer, aye; Ms. Reddy, aye; Dr.
25 Six, aye; Dr. Kutz, aye; Dr. Abella,

1 aye; Dr. Udekwu, aye.

2 [The motion carried unanimously.]

3 ***

4 MS. WALTER:

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

8 DR. KUTZ:

9 So moved.

10 ACTING COMMISSIONER CLAGGETT:

11 Second.

12 VICE CHAIR YEALY:

13 Roll call for the vote.

14

15 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
16 Dillon, aye; Dr. Ripchinski, aye; Mr.
17 Eisenhauer, aye; Ms. Reddy, aye; Dr.
18 Six, aye; Dr. Kutz, aye; Dr. Abella,
19 aye; Dr. Udekwu, aye.

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

22 ***

23 Report of Board Counsel - Proposed Reports from
24 Hearing Examiner

25 MS. WUCINSKI:

1 At agenda item 13, I believe the Board
2 would entertain a motion to direct
3 Board Counsel to rewrite the Proposed
4 Adjudication and Order consistent with
5 deliberations in Executive Session for
6 Danice Blaise, M.D., Case No. 23-49-
7 007946.

8 DR. KUTZ:

9 So moved.

10 DR. ABELLA:

11 Second.

12 VICE CHAIR YEALY:

13 Anymore conversation? Hearing none.

14 Roll call for the vote.

15

16 Mr. Claggett, aye; Dr. Yealy, aye; Mr.

17 Dillon, aye; Dr. Ripchinski, aye; Mr.

18 Eisenhauer, aye; Ms. Reddy, aye; Dr.

19 Six, aye; Dr. Kutz, aye; Dr. Abella,

20 aye; Dr. Udekwu, aye.

21 [The motion carried unanimously.]

22

23 Report of Board Counsel - Final Adjudications for

24 Board Approval

25 MS. WUCINSKI:

1 At agenda item 14, I believe the Board
2 would entertain a motion to adopt as
3 Final the Draft Adjudication and Order
4 for Brenda J. Valentine, LRT, Case No.
5 22-49-001900.

6 DR. KUTZ:

7 So moved.

8 DR. ABELLA:

9 Second.

10 VICE CHAIR YEALY:

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

13

14 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
15 Dillon, aye; Dr. Ripchinski, aye; Mr.
16 Eisenhauer, aye; Ms. Reddy, aye; Dr.
17 Six, aye; Dr. Kutz, aye; Dr. Abella,
18 aye; Dr. Udekwu, aye.

19 [The motion carried unanimously.]

20

21 Report of Board Counsel - Regulatory Status Report
22 [Dana M. Wucinski, Esquire, Board Counsel, provided a
23 Regulatory Status Report for the Board's review. She
24 noted she has been working with regulatory counsel to
25 move the regulations and would keep the Board in the

1 loop of where each one stands.

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

4 ***

5 Applications - Allied Health Professionals

6 MS. WUCINSKI:

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

14 DR. KUTZ:

15 So moved.

16 DR. ABELLA:

17 Second.

18 VICE CHAIR YEALY:

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

21

22 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
23 Dillon, aye; Dr. Ripchinski, aye; Mr.
24 Eisenhauer, aye; Ms. Reddy, aye; Dr.
25 Six, aye; Dr. Kutz, aye; Dr. Abella,

1 aye; Dr. Udekwu, aye.

2 [The motion carried unanimously.]

3 ***

4 MS. WUCINSKI:

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

9 DR. KUTZ:

10 So moved.

11 DR. ABELLA:

12 Second.

13 VICE CHAIR YEALY:

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

16

17 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
18 Dillon, aye; Dr. Ripchinski, aye; Mr.
19 Eisenhauer, aye; Ms. Reddy, aye; Dr.
20 Six, aye; Dr. Kutz, aye; Dr. Abella,
21 aye; Dr. Udekwu, aye.

22 [The motion carried unanimously.]

23 ***

24 MS. WUCINSKI:

25 I believe the Board would entertain a

1 motion to grant the Application for a
2 License to Practice as a Respiratory
3 Therapist of Rosaline Deravil once
4 Board staff obtains verification of
5 their successful completion of the
6 Kettering Seminar.

7 DR. KUTZ:

8 So moved.

9 DR. ABELLA:

10 Second.

11 VICE CHAIR YEALY:

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

14
15 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
16 Dillon, aye; Dr. Ripchinski, aye; Mr.
17 Eisenhauer, aye; Ms. Reddy, aye; Dr.
18 Six, aye; Dr. Kutz, aye; Dr. Abella,
19 aye; Dr. Udekwu, aye.

20 [The motion carried unanimously.]

21 ***

22 Applications - Unrestricted Physician and Surgeon

23 MS. WUCINSKI:

24 At agenda items 20 and 21, I believe
25 the Board would entertain a motion to

1 grant the following Applications for a
2 License to Practice as a Physician and
3 Surgeon for Snehansh Roy Chaudhary,
4 M.D. and Rahul Sanjeev Motwani, M.D.

5 DR. KUTZ:

6 So moved.

7 DR. ABELLA:

8 Second.

9 VICE CHAIR YEALY:

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

12

13 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
14 Dillon, aye; Dr. Ripchinski, aye; Mr.
15 Eisenhauer, aye; Ms. Reddy, aye; Dr.
16 Six, aye; Dr. Kutz, aye; Dr. Abella,
17 aye; Dr. Udekwu, aye.

18 [The motion carried unanimously.]

19

20 MS. WUCINSKI:

21 At agenda items 22 and 23, I believe
22 the Board would entertain a motion to
23 table the Initial Application for a
24 License to Practice as a Physician and
25 Surgeon for Ruth Namuyinga, M.D. and

1 Akhilesh Basi Reddy, M.D., to invite
2 them to apply for an institutional
3 license.

4 DR. KUTZ:

5 So moved.

6 DR. ABELLA:

7 Second.

8 VICE CHAIR YEALY:

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

11

12 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
13 Dillon, aye; Dr. Ripchinski, aye; Mr.
14 Eisenhauer, aye; Ms. Reddy, aye; Dr.
15 Six, aye; Dr. Kutz, aye; Dr. Abella,
16 aye; Dr. Udekwu, aye.

17 [The motion carried unanimously.]

18

19 MS. WUCINSKI:

20 I believe the Board would entertain a
21 motion to grant the Initial Application
22 for a License to Practice as a
23 Physician and Surgeon of Anne Marie
24 Schmidt, M.D., and I would note that
25 Dr. Yealy is recused.

1 DR. KUTZ:

2 So moved.

3 DR. ABELLA:

4 Second.

5 DR. RIPCHINSKI:

6 Any further conversation on this item?

7 Hearing none. Let's take a roll call
8 for a vote.

9

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

14

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

17

18 Applications - Reactivations

19 MS. WUCINSKI:

20 I believe the Board would entertain a
21 motion to table agenda items 25 through
22 27 and send standard reentry letters to
23 the following applicants: Diane Marie
24 Batt, M.D.; Joseph Gegwich, M.D.; Val
25 Wano Finnel, M.D.

1 DR. KUTZ:

2 So moved.

3 DR. ABELLA:

4 Second.

5 VICE CHAIR YEALY:

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

8

9 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
10 Dillon, aye; Dr. Ripchinski, aye; Mr.
11 Eisenhauer, aye; Ms. Reddy, aye; Dr.
12 Six, aye; Dr. Kutz, aye; Dr. Abella,
13 aye; Dr. Udekwu, aye.

14 [The motion carried unanimously.]

15

16 Ratifications

17 MS. WUCINSKI:

18 I believe the Board would entertain a
19 motion to Ratify the granting of the
20 following Applications for a License to
21 Practice as a Physician and Surgeon at
22 agenda items 28 through 34: Mohamed
23 Abdullah, M.D.; Manish Bajaj, M.D.;
24 Dhiraj Baruah, M.D.; Ria Garg, M.D.;
25 Khushboo Gupta, M.D.; Ahmed Mohamed

1 Sadeek, M.D.; Vaneet Singh, M.D. I
2 would note that Dr. Yealy is recused at
3 agenda item 33, Ahmed Mohamed Sadeek,
4 M.D.

5 DR. KUTZ:

6 So moved.

7 DR. ABELLA:

8 Second.

9 DR. RIPCHINSKI:

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

12

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

17

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

20

21 Miscellaneous

22 MS. WUCINSKI:

23 I believe the Board would entertain a
24 motion to deny the Reconsideration
25 Request of Courtney Jones, M.D., to

1 waive the standard reentry requirement.

2 DR. KUTZ:

3 So moved.

4 DR. ABELLA:

5 Second.

6 VICE CHAIR YEALY:

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

9

10 Mr. Claggett, aye; Dr. Yealy, aye; Mr.
11 Dillon, aye; Dr. Ripchinski, aye; Mr.
12 Eisenhauer, aye; Ms. Reddy, aye; Dr.
13 Six, aye; Dr. Kutz, aye; Dr. Abella,
14 aye; Dr. Udekwu, aye.

15 [The motion carried unanimously.]

16

17 MS. WUCINSKI:

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

23 DR. KUTZ:

24 So moved.

25 DR. ABELLA:

1 Second.

2 VICE CHAIR YEALY:

3 Any further discussion? Hearing none.

4 Roll call for the vote.

5

6 Mr. Claggett, aye; Dr. Yealy, aye; Mr.

7 Dillon, nay; Dr. Ripchinski, aye; Mr.

8 Eisenhauer, aye; Ms. Reddy, aye; Dr.

9 Six, aye; Dr. Kutz, aye; Dr. Abella,

10 aye; Dr. Udekwu, aye.

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

13

14 [Dana M. Wucinski, Esquire, Board Counsel, referred
15 to agenda item 42 and informed Board members that a
16 Memorandum Opinion was issued in the federal case of
17 Zafar Iqbal, M.D. v. BPOA State Board of Medicine.

18 She noted it was issued by federal magistrate Judge
19 Patricia Dodge, dismissing the civil action against
20 the Board with prejudice.]

21 MS. WUCINSKI:

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

1 AbouKhalil.

2 DR. KUTZ:

3 So moved.

4 DR. ABELLA:

5 Second.

6 VICE CHAIR YEALY:

7 Any further discussion? Hearing none.

8 Roll call for the vote.

9

10 Mr. Claggett, aye; Dr. Yealy, aye; Mr.

11 Dillon, aye; Dr. Ripchinski, aye; Mr.

12 Eisenhauer, aye; Ms. Reddy, aye; Dr.

13 Six, aye; Dr. Kutz, aye; Dr. Abella,

14 aye; Dr. Udekwu, aye.

15 [The motion carried unanimously.]

16

17 For the Board's Information/Discussion - Old

18 Business/New Business

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

20 addressed the discussion regarding the Educational

21 Commission for Foreign Medical Graduates (ECFMG)

22 certification expiration. She believed the United

23 States Medical Licensing Examination (USMLE) Step 2

24 Clinical Skills Examination was discontinued in 2021

25 but not the Clinical Knowledge Examination.

1 Ms. Walter noted ECFMG determined that another
2 pathway for certification was necessary. She stated
3 the additional pathway program resulted in the Board
4 receiving ECFMG certificates with an expiration date
5 of December 31, 2024. She mentioned that information
6 on ECFMG's website showed the intent is to allow this
7 expiration window so that international medical
8 graduates could obtain Accreditation Council for
9 Graduate Medical Education (ACGME) training.

10 Ms. Walter reported that ECFMG announced that the
11 2024 expiration would be extended until December 31,
12 2025, and ECFMG certificates with an expiration date
13 of December 31, 2025, would be given an additional
14 year until 2026. She mentioned the Board requires
15 ECFMG for certain license types and unrestricted
16 license types because the regulations were written
17 before USMLE Step 2 CS was discontinued.

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

23 Vice Chair Yealy commented that it is interesting
24 evolution and clearly has the potential to influence
25 their procedures, probably not as much as it might

1 seem on first glance but is something all need to
2 understand.]

3 ***

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

6 [Donald M. Yealy, M.D., Vice Chair, noted 2024 and
7 2025 Board meeting dates are listed on the agenda.]

8 ***

9 Miscellaneous

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

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

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

25 Ms. Walter noted the requirement of recording of

1 votes and requirement of written minutes for all open
2 meetings. She mentioned that the only exceptions to
3 open meeting requirements are Executive Sessions and
4 conferences. She addressed the purpose of Executive
5 Session.

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

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

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

18 Ms. Walter mentioned that Board members will not
19 vote on a matter if they are related in any way or
20 believe that they are unable to be impartial. She
21 addressed conflicts of interest, where no member of
22 any professional board shall at the same time be an
23 officer or an agent of a statewide association or
24 organization. She also noted public Board members
25 requirements for their review.

1 Vice Chair Yealy noted having nearly a full
2 complement of the Board and believed the rules,
3 regulations, and guardrails serve everybody well. He
4 thanked Acting Commissioner Claggett and Board
5 Counsel for keeping the Board focused.]

6

7 Miscellaneous - House Bill 1873 - Temporary License
8 for Internationally Trained Physicians
9 [Dana M. Wucinski, Esquire, Board Counsel, addressed
10 House Bill 1873, noting the bill would grant a
11 temporary license to a graduate of an international
12 medical school who has performed the duties of a
13 physician at least three years outside of the United
14 States if they can demonstrate competency

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

22 Ms. Wucinski noted that Board members are able to
23 send any suggestions or comments to her concerning
24 the bill. She also informed Board members that she
25 would reach out to the Board for their input if asked

1 to complete a bill analysis.]

2

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

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

12

13 Report of Acting Commissioner

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

25 Acting Commissioner Claggett informed Board

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

8 ***

9 Report of Department of Health - No Report

10 ***

11 Report of Committee on Health-Related Professionals -
12 No Report

13 ***

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

16 ***

17 Report of Committee on Licensure Qualifications
18 [Gerard F. Dillon, Ph.D., Public Member, mentioned
19 that the Committee on Licensure Qualifications put
20 together a draft document that was intended to begin
21 to identify the issues that they might look to if the
22 Board was ever required to establish whether or not
23 the licensing systems of other countries were
24 substantially equivalent to the systems within the
25 United States.

1 Mr. Dillon informed Board members that he would
2 like to redistribute the initial draft to all Board
3 members just to identify some initial ideas, noting
4 it would be a refresher for the older members and
5 brand new for the new members.

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

9

10 Report of Board Administrator

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

18

19 Report of Board Chair

20 [Donald M. Yealy, M.D., Vice Chair, provided the
21 Report of Board Chair on behalf of Chair Woodland.
22 He informed everyone that January is National Blood
23 Donor Month, Glaucoma Awareness Month, Cervical
24 Cancer Awareness Month, and National Healthy Weight
25 Awareness Month. He noted January 23 "123" is also

1 Maternal Health Awareness Day and mentioned that Dr.
2 Woodland has a particular interest, given his
3 practice as an obstetrician/gynecologist, about how
4 maternal health still is an ongoing challenge for the
5 Commonwealth of Pennsylvania and the United States as
6 a whole.

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

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

17 Vice Chair Yealy stated one issue the Board has a
18 lot of interest in that Dr. Woodland has highlighted
19 is the recent venue change law shift that has
20 impacted tort actions, notably malpractice actions in
21 the Commonwealth in Philadelphia and a couple of
22 other locations. He explained that the change in
23 venue guidance and law now allows essentially a
24 malpractice action to be filed in any county in
25 Philadelphia.

1 Vice Chair Yealy noted the concern is that it
2 will increase the cost of providing medical care in
3 the Commonwealth because of an increase in filings
4 and will paradoxically slow down the appropriation of
5 justice if that is the avenue being used in
6 Philadelphia and a few other counties, where
7 Philadelphia would predominantly become a very
8 popular area to have filings, even if the care had
9 nothing to do with anyone or any location there.

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

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

21 Vice Chair Yealy stated they understand how the
22 change came to be but are not certain that it
23 provides a better platform for everyone in the
24 Commonwealth, including the people who serve and
25 those being served.

1 Vice Chair Yealy mentioned that Dr. Woodland is
2 one of their representatives to the Federation of
3 State Medical Boards and has an upcoming meeting in
4 April. He noted changes to the USMLE Step 3 passing
5 standard in December 2023 are in Dr. Woodland's
6 report.

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

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

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

23 Susan DeSantis, PA-C, Pennsylvania Society of
24 Physician Assistants, asked whether there have been
25 any updates on the replacement of the Pennsylvania

1 Licensing System (PALS).

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

6 ***

7 Adjournment

8 VICE CHAIR YEALY:

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

11 MR. EISENHAUER:

12 So moved.

13 DR. ABELLA:

14 Second.

15 VICE CHAIR YEALY:

16 Thank you very, very much.

17 ***

18 [There being no other business, the State Board of
19 Medicine Meeting adjourned at 11:57 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.



Sophia Mahoney,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MEDICINE
REFERENCE INDEX

January 30, 2024

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	8:45	Executive Session
9	10:30	Return to Open Session
10		
11	10:38	Official Call to Order
12		
13	10:40	Acknowledge Public - Turn Off
14		Electronic Devices
15		
16	10:40	Introduction of Board Members/Attendees
17		
18	10:42	Approval of Minutes
19		
20	10:43	Appointment - Carlton Smith, Deputy
21		Chief Counsel, Annual Prosecution
22		Division Report
23		
24	10:58	Report of Prosecuting Attorneys
25		
26	11:13	Report of Board Counsel
27		
28	11:18	Applications for Licensure
29		
30	11:26	Ratifications
31		
32	11:28	Miscellaneous
33		
34	11:31	For the Board's Information/Discussion
35		
36	11:34	Miscellaneous (cont.)
37		
38	11:47	Report of Acting Commissioner
39		
40	11:48	Report of Committee on Licensure
41		Qualifications
42		
43	11:50	Report of Board Administrator
44		
45	11:50	Report of Board Chair
46		
47	11:57	Adjournment
48		
49		
50		