

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
December 15, 2022
10:30 a.m.
Public Session I

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Chair

Nawal Nour, M.D., M.P.H., Physician Member
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public Member

Member(s) absent:

Holly Oh, M.D., Physician Member, Secretary
John McGahan, Public Member

Staff Present and Participating:

George Zachos, Executive Director
Vita P. Berg, General Counsel
Michael Sinacola, Director of Licensing
Steven Hoffman, Division of Law and Policy Manager
Eileen A. Prebensen, Senior Policy Counsel

Minutes taken by: Donald LaPointe, Paralegal, Division of Law and Policy.

Marsha Johnson, Stenographer, present to record the Board meeting.

Dr. Robinson called the meeting to order at 10:31 a.m.

Dr. Robinson called the Roll to confirm that there was a quorum of the Board.

Dr. Nour -Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Dr. Robinson informed the other Board members that Dr. Oh would not be attending the Board meeting.

Dr. Robinson informed those individuals in attendance that the Board meeting was being conducted via teleconference. Additionally, the Board meeting was being recorded by a stenographer.

Dr. Robinson announced that Woody Giessmann, Vice Chair, had completed his term as a Board member. Mr. Giessman was present at today's Public Session I as a guest of the Board. Dr. Robinson expressed his appreciation for the opportunity to work with Mr. Giessmann and noted some of Mr. Giessmann's contributions to the Board of Registration in Medicine (BORIM).

George Zachos, Executive Director, Steven Hoffman, Division of Law and Policy, Manager, Frank O'Donnell, Esq., Public Member, and Dr. Nawal Nour, Physician Member, expressed their appreciation for Mr. Giessmann's contributions to BORIM and thanked him for his service to BORIM.

Mr. Giessmann expressed his gratitude for being able to serve on the Board. He also thanked the legal team for assisting him in understanding the legal aspect of the cases that came before the Board.

Online Licensing Update:

George Zachos, Executive Director, informed the Board that the launch of the latest Online Licensing initiative was successful and that there are ongoing improvements being made to the system. .

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing applications received and processed within the past seven weeks.

Mr. Sinacola credited the continued success of the implementation of the Online Licensing system to the Licensing Division staff and the vendor JD Software.

Update on Policies 2022-01 (Interim Policy on Practice by Limited Licensees During Public Health Emergency) and 2020-06 (Policy on Substantial Equivalency)

Vita P. Berg, General Counsel, discussed the memo provided to the Board members that provided the history of changes to BORIM's Regulations since the Board's July 2020 adoption of Policy 2020-06. Ms. Berg recommended that the Board vote to extend the expiration date of Policy 2020-06 to June 30, 2023. This would allow BORIM staff to audit physician license applicant records and review this Policy along with other Covid-related policies.

Ms. Berg also recommended that the Board vote to extend the expiration date of Policy 2022-01, which is commonly referred to as the "Internal Moonlighting" Policy, until June 30, 2023. This would put this Policy on the same timeline as the other Covid-related Policies and allow time for BORIM staff to review factors that may help the Board determine whether to proceed with this Policy going forward.

Dr. Bush moved to extend the expiration date of Policies 2022-01 and 2020-06 until June 30, 2023.

Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Dr. Nour- Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Minutes:

The Board considered the Public Session Minutes of the November 17, 2022 and December 1, 2022 Board meetings.

Dr. Bush moved to approve the Public Session Minutes of the November 17, 2022 and December 1, 2022 Board meetings.

Mr. O'Donnell seconded the motion.

Dr. Robinson called the Roll:

Dr. Nour- Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Licensing:

Dr. Robinson is recused from license applications from Newton Wellesley Hospital, Dr. Nour is recused from Brigham and Women's Hospital and Dana Farber, and Dr. Bush is recused from applications involving Baystate Medical Center, Springfield.

Michael Sinacola, Licensing Director, presented the licensing data as of December 15, 2022.

Licensing Applications:

Dr. Robinson asked for a motion to approve the following applications for licensure:

- Applications for Full and Lapsed Licensure Reviewed by the Licensing Committee (Burlas – Taylor)

- Applications for Full Licensure Approved by the Executive Director on December 14, 2022 (Ademola – Yu)
- Applications for Limited Licensure Approved by the Executive Director on December 14, 2022 (Ahmed – Nikolaychuk)
- Applications for Changes to Existing Limited Licensure Reviewed by the Board (Cisnero – Lott)

Mr. O'Donnell moved to approve the above-listed applications for licensure.

Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Dr. Nour- Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Dr. Robinson stated that the Board would meet in Executive Session to review Executive Session Minutes.

Following the Executive Session, the Board will meet in closed Adjudicatory Session, and then in closed Mass. General Law, chapter 112, section 65C session. The Board will reconvene in Public Session following the conclusion of the 65C Session.

Dr. Robinson asked for a motion to go into Executive Session.

Dr. Nour moved to go into Executive Session.

Mr. O'Donnell seconded the motion.

Dr. Robinson called the Roll:

Dr. Nour-Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Dr. Robinson stated that the Board would go into Executive Session.

Public Session I ended at 10:51 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
December 15, 2022
11:11 a.m.
Public Session II

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., Physician Member
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public Member

Member(s) absent:

Holly Oh, M.D., Physician Member, Secretary
John McGahan, Public Member

Staff Present and Participating:

George Zachos, Executive Director
Vita P. Berg, General Counsel
Steven Hoffman, Division of Law and Policy Manager
Eileen A. Prebensen, Senior Policy Counsel

Minutes taken by: Donald LaPointe, Paralegal, Division of Law and Policy.

Marsha Johnson, Stenographer, present to record the Board meeting.

Motions and Votes

In the **Pirquet** matter, Dr. Robinson moved to issue the Final Decision and Order, dismissing the July 16, 2022 Statement of Allegations.

Dr. Bush seconded the motions.

Dr. Robinson called the Roll:

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

The Chair voted Aye.

Motions carried 4-0 (unanimous).

In the **Joshi** matter, with respect to Dr. Joshi's request for approval of changes to terms included in a Probation Agreement that will satisfy the proposed Consent Order, Dr. Robinson moved to approve Dr. Sundar to serve as monitor, but to deny the request for approval that the same individual serve as both monitor and preceptor. Dr. Robinson further moved to deny the request to exclude the topics of electrocardiogram interpretation and advanced cardiovascular life support certification from the Continuing Medical Education and Self-Study requirements. Dr. Robinson further moved to schedule the proposed Consent Order and proposed Statement of Allegations for consideration by the Board on January 19, 2023, at which time the Board would also consider a Petition to Stay Suspension provided that a signed Probation Agreement conforming to this vote has been submitted prior to that date.

Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Johnson** matter, Dr. Robinson moved to accept the Resignation of Dr. Johnson's inchoate right to renew his license to practice medicine, pursuant to 243 CMR 1.05(5)(b).

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Executive Director's Update:

Mr. Zachos thanked the Board members for their work on the Board and its Committees. Additionally, he thanked them for their work in putting forth policies that allowed Resident physicians to start their residency programs on time and the development of the new Online Licensing system.

Board Member Availability

The Board discussed their anticipated availability to attend the January 5, 2023, January 19, 2023 and February 2, 2023 Board Meetings.

Dr. Nour indicated that she did anticipate attending the January 19, 2023 Board Meeting and the February 2, 2023 meeting. The Board members did not indicate any other scheduling conflicts that would prevent them from attending the aforementioned Board meetings.

Dr. Robinson asked for a motion to adjourn the Board meeting.

Dr. Bush moved to adjourn the Board meeting.

Mr. O'Donnell seconded the motion.

Dr. Robinson called the Roll:

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Meeting adjourned at 11:16 a.m.

Documents Considered in Public Sessions I and II:

- Memorandum RE: Update on Policies 2022-01 (Interim Policy on Practice by Limited Licensees During Public Health Emergency) and 2020-06 (Policy on Substantial Equivalency)
- Public Session Minutes of the November 17, 2022 and December 1, 2022 Board Meetings
- Motions and Votes
- Licensing Applications Lists