

BOARD OF REGISTRATION IN MEDICINE

178 Albion Street, Suite 330

Wakefield, Massachusetts 01880

(Teleconference)

December 19, 2024

10:31 a.m.

Public Session I

Members Participating Remotely:

Booker T. Bush, M.D., Physician Member, Chair

Frank O'Donnell, Esq., Public Member, Vice Chair

Sandeep Singh Jubbal, M.D., Physician Member, Secretary

Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

Jason Qu, M.D., Physician Member

Aviva Lee-Parritz, M.D., Physician Member

Staff Present and Participating:

George Zachos, Executive Director

Vita P. Berg, General Counsel

Steven Hoffman, Manager, Division of Law and Policy

Michael Sinacola, Director of Licensing

Eileen A. Prebensen, Senior Policy Counsel

Roisin Cahill, Assistant General Counsel

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

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

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

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

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

Dr. Qu - Aye

The Chair voted Aye.

Motion carried 5-0 (unanimous).

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

The introduction of Jessica Zeidman, M.D., Deputy Commissioner, Chief Medical Officer, by George Zachos, Executive Director, was rescheduled to later in the first public session.

Rescission of Board Policy 2020-05 and end of COVID-era emergency licenses

Vita P. Berg, General Counsel, informed the Board that Board Policy 2020-05, “Interim Policy on Emergency Temporary Licenses,” was one of two COVID-19-era Emergency Licensing Policies enacted by the Board during the pandemic related state of emergency. This policy set the expiration date for emergency temporary licenses issued pursuant to an emergency order by Governor Baker between March and June of 2020.

Ms. Berg provided a brief overview of the history of Policy 2020-05, which included a series of Board granted extensions of this expiration date. Ms. Berg informed the Board that there are no individuals licensed under this Policy that continue to hold an emergency temporary license today. Accordingly, Ms. Berg advised the Board that they may wish to vote to rescind this Policy.

Ms. Berg also noted that the other COVID-era emergency temporary license policy was Policy 2020-09, “Interim Policy on Emergency Temporary Licenses for Full Time Applicants,” was rescinded on Dec. 4, 2024, per the Board’s prior authorization to rescind once all remaining applications had been fully adjudicated.

Dr. Bush noted that Board Member, Dr. Yvonne Cheung, entered the Board meeting at 10:34 a.m.

Mr. Zachos stated to the Board that the Governor’s order allowed physicians licensed in good standing in other states to practice in Massachusetts during the COVID-19 pandemic.

Mr. Zachos extolled the successful efforts of the Board of Registration in Medicine’s (BORIM) staff in the implementation of the Order and the processing of licenses issued under this Order. He highlighted that the BORIM staff were able to process the incoming applications and issue 3500 emergency temporary licenses in the first two weeks of the Order.

Dr. Bush asked for a motion to rescind Board Policy 2020-05.

Mr. O’Donnell moved to rescind Board Policy 2020-05.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O’Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu – Aye

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Continued Discussion on Counting Time Spent in Structured Substance Use Treatment Programs prior to entry into a Physician Health Services' (PHS) Contract:

Ms. Berg informed the Board that this matter was scheduled and briefly discussed during the December 5, 2024 Board meeting. However, since two Board members were not in attendance, this matter was brought back for further consideration by the Board at this meeting.

Ms. Berg informed the Board that Physician Health Services (PHS) asked whether the Board would count the time a physician spent in a PHS recognized, structured substance use treatment program prior to entering a formal PHS contract towards the period of sobriety to be met prior to petitioning for a stay of suspension. This discussion has come up periodically in Complaint Committee and the full Board when a proposed Probation Agreement is being considered. Currently, the Board calculates the period of sobriety the time that a physician has been in compliance with a PHS contract, beginning on the date of the PHS contract.

Ms. Berg informed the Board that Dr. Mark Albanese, Medical Director, Physician Health Services, Inc., and Debra Grossbaum, General Counsel, Physician Health Services, Inc., were present to answer the Board's questions, if any. Dr. Albanese had provided Board Members with an overview of reasons to count time in a structured program at the last meeting.

Dr. Bush asked for a motion to determine a physician's sober time as beginning with the time a physician spends in a structured substance use program prior to entering a PHS contract for the purpose of calculating that physician's total months of sobriety.

Mr. O'Donnell so moved.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu – Aye

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Dr. Bush thanked Dr. Albanese and Ms. Grossbaum for attending this meeting.

Ciordia, Roberto

The Board considered the full license application, the Request for Waiver of Postgraduate Training and the Request for Waiver of the Seven-Year Rule.

Dr. Ciordia was present via teleconference.

Roisin Cahill, Assistant General Counsel, was present via teleconference.

Dr. Bush noted that Dr. Qu was recused in this matter. He did not participate in this matter.

Ms. Cahill provided the Board with an overview of this matter, highlighting Dr. Ciordia's history.

In the **Ciordia** matter, Mr. O'Donnell moved to allow the Request for Waiver of Post-Graduate Training and Request for Waiver of Seven-Year Rule. Mr. O'Donnell further moved to approve the Full License Application.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu - Recused

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 5-0-1 (Dr. Qu recused).

Introduction of Jessica Zeidman, M.D., Deputy Commissioner/Chief Medical Officer, Department of Public Health

Mr. Zachos introduced Dr. Zeidman to the Board and explained that Dr. Zeidman will be overseeing BORIM in the Department of Public Health. In addition to her role at DPH, Dr. Zeidman is a practicing internist.

Dr. Zeidman said she was looking forward to working with BORIM in a collaborative relationship.

Dr. Bush commented that he had the opportunity to meet with Dr. Zeidman on two occasions and looked forward to having a collaborative relationship with Dr. Zeidman.

Minutes

The Board considered the Public Session Minutes of the December 5, 2024 Board meeting.

Mr. O'Donnell moved to approve the Public Session Minutes of the December 5, 2024 Board meeting.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Qu – Aye
Dr. Cheung - Abstained
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 5-0-1 (Dr. Cheung abstained).

Licensing

The Board members stated their recusal information. Dr. Bush is recused from applications involving Baystate Medical Center Springfield, Dr. Jubbal is recused from applications involving UMass Memorial Medical Center, Dr. Lee-Parritz is recused from Boston Medical Center, Dr. Cheung is recused from Baystate Medical Center, Springfield, Baystate Noble Hospital and Baystate Wing Hospital, and Dr. Qu is recused from applications involving Massachusetts General Hospital

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing data as of December 19, 2024.

Licensing Applications

Dr. Bush asked for a motion to approve the applications for licensure (see attached at TAB A).

Mr. O'Donnell moved to approve the applications presented for licensure.
Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Qu – Aye
Dr. Cheung - Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 6-0 (unanimous).

Dr. Bush stated that the Board will meet as authorized by Mass. General Law, chapter 30A, section 21 for purposes set at subsections (a)(1) and (a)(7). Specifically, the Board will review a Limited License Renewal Application and a Petition to Modify a Probation Agreement. In so doing, the Board will discuss the reputation, character, physical condition or mental health, rather than professional competence, of applicants or petitioners, or the discipline or dismissal of, or complaints or charges against applicants or petitioners, as permitted under purpose 1 and information that may not be publicly disclosed pursuant to Mass. General Law, chapter 112,

section 5 and Mass. General Law, chapter 66A, section 2, as permitted under purpose 7. The Board will also be reviewing Executive Session Minutes.

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

Dr. Lee-Parritz moved to go into Executive Session.

Dr. Cheung seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu – Aye

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

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

Public Session I ended at 10:52 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
December 19, 2024
12:37 p.m.
Public Session II

Members Participating Remotely:

Booker T. Bush, M.D., Physician Member, Chair
Frank O'Donnell, Esq., Public Member, Vice Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member
Jason Qu, M.D., Physician Member
Aviva Lee-Parritz, M.D., Physician Member

Staff Present and Participating:

George Zachos, Executive Director
Vita P. Berg, General Counsel
Steven Hoffman, Manager, Division of Law and Policy
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 **Hart** matter, Mr. O'Donnell moved to accept the Resignation, pursuant to 243 CMR 1.05(5)(a). Mr. O'Donnell further moved to terminate Dr. Hart's June 27, 2024 Voluntary Agreement Not to Practice.

Dr. Cheung seconded the motions.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu – Aye

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motions carried 6-0 (unanimous).

In the **Williams** matter, Dr. Qu moved to issue the Statement of Allegations, Order to Use Pseudonyms and Impound Identities and Medical Records, and Order of Reference to the Division of Administrative Law Appeals.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Recused

Dr. Qu – Aye

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 5-0-1 (Dr. Jubbal recused).

In the **Dougan** matter, Mr. O'Donnell moved to issue the Statement of Allegations, Order to Use Pseudonyms and Impound Identities and Medical Records, and Order of Reference to the Division of Administrative Law Appeals.

Dr. Cheung seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu – Recused

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 5-0-1 (Dr. Qu recused).

In the **Vellavappan** matter, Mr. O'Donnell moved to issue the Statement of Allegations, Order to Use Pseudonyms and Impound Identities and Medical Records, and Order of Reference to the Division of Administrative Law Appeals.

Dr. Cheung seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu – Aye

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.
Motion carried 6-0 (unanimous).

In the **Harper** matter, Mr. O'Donnell moved to issue the Statement of Allegations and approve the Consent Order, suspending Dr. Harper's license to practice medicine. Mr. O'Donnell further moved to approve the Petition to Stay Suspension and Probation Agreement.
Dr. Jubbal seconded the motions.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Qu – Aye
Dr. Cheung - Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motions carried 6-0 (unanimous).

In the **Molmenti** matter, Mr. O'Donnell moved to ratify the acceptance of the Voluntary Agreement Not to Practice.
Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Qu – Aye
Dr. Cheung - Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 6-0 (unanimous).

In the **Smith** matter, Mr. O'Donnell moved to accept the Resignation of Dr. Smith's license to practice medicine, pursuant to 243 CMR 1.05(5)(a).
Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Qu – Aye
Dr. Cheung - Aye
Dr. Lee-Parritz - Aye

The Chair voted Aye.
Motion carried 6-0 (unanimous).

Board Member Availability:

The Board considered their anticipated availability to attend the January 9, 2025, January 23, 2025 and February 6, 2025 Board meetings.

Drs. Bush, Jubbal and Qu indicated that they did not anticipate attending the January 9, 2025 Board meeting.

Given the quorum issues presented for the January 9, 2025 Board meeting, Mr. Zachos informed the Board that BORIM staff would contact the Board members to see if they were available for a half-hour Board meeting on another date in January. Any licensing applications that require the Board's consideration would be placed on the agenda for this meeting.

Dr. Cheung indicated that she did not anticipate attending the January 23, 2025 Board meeting.

Dr. Lee-Parritz indicated that she did not anticipate attending the February 6, 2025 Board meeting.

The Board members present did not indicate any other scheduling conflicts.

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

Dr. Cheung moved to adjourn the meeting.

Dr. Qu seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Qu – Aye

Dr. Cheung - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

The Board meeting adjourned at 12:45 p.m.

Documents Considered in Public Sessions I and II:

- Memorandum RE: Rescission of Policy 20-05: Interim Policy on Emergency Temporary Licenses (and notice of implementing rescission of 2020-09)

- Memorandum RE: Calculation of Period of Sobriety for Physicians monitored by Physician Health Services (PHS)
- Memorandum RE: Roberto Ciordia, M.D. – Full License Application
- Public Session Minutes of the December 5, 2024 Board Meeting
- Licensing Applications Lists (see attached at TAB A)
- Motions and Votes