

BOARD OF REGISTRATION IN MEDICINE

**178 Albion Street, Suite 330
Wakefield, Massachusetts 01880**

(Teleconference)

December 5, 2024

10:31 a.m.

Public Session I

Members Participating Remotely:

Booker T. Bush, M.D., Physician Member, Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
Jason Qu, M.D., Physician Member
Aviva Lee-Parritz, M.D., Physician Member

Members absent:

Frank O'Donnell, Esq., Public Member, Vice Chair
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

Staff Present and Participating:

George Zachos, Executive Director
Vita P. Berg, General Counsel
Steven Hoffman, Manager, Division of Law and Policy
Lisa Fuccione, Director of Enforcement
Michael Sinicola, Director of Licensing
Daniela Brown, Director of the Quality and Patient Safety Division
Robert E. Harvey, Physician Health and Compliance Manager

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.

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

Dr. Qu - Aye

The Chair voted Aye.

Motion carried 4-0 (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.

Proposed Policy 2024-05 Physician Re-Credentialing

Vita P. Berg, General Counsel, introduced Daniela Brown, Director of the Quality and Patient Safety Division.

Ms. Berg provided the Board members with a brief overview of the Quality and Patient Safety Division regulations that require healthcare facilities to undertake a credentialing process every two years. In this process healthcare facilities must obtain documentation regarding closed malpractice claims every two years with a ten-year lookback period, even if such documentation was previously provided.

Ms. Berg informed the Board members that the Proposed Policy would eliminate the need for healthcare facilities to obtain documentation on closed malpractice claims if such facilities have previously obtained such documentation. However, documentation regarding open malpractice claims would still need to be obtained during the credentialing process.

Ms. Brown informed the Board that this Proposed Policy would include ambulatory clinics and centers.

Dr. Bush asked for a motion to approve the Proposed Policy 2024-05 as proposed by Ms. Berg.

Dr. Qu moved to approve the Proposed Policy 2024-05 as proposed by Ms. Berg.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Dr. Jubbal – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Discussion on Structured Substance Use Treatment Programs completed prior to entry into Physician Health Services' (PHS) Contract:

Mark Albanese, Medical Director, Physician Health Services, Inc., was present via teleconference.

Ms. Berg stated to the Board members that this matter will be brought back before the Board at the next Board meeting when it is anticipated that more Board members will be in attendance. However, in this meeting Board members can begin to discuss and consider the issue of crediting a physician's completion a structured substance use treatment program prior to the entry into a Physician Health Services (PHS) contract for purposes of determining the length of a physician's sobriety when they have a history of substance use and/or alcohol use issues.

Ms. Berg informed the Board that Dr. Albanese was invited to this Board meeting to address this issue from the perspective of PHS.

Dr. Albanese explained that physicians participating in the structured treatment programs usually do so for a period of one to three months that comes at the beginning of a three-year PHS contract. He explained that these treatment environments are highly structured, and the treatment programs are well vetted and are administered by well-established programs in a residential environment. During this time, if PHS identifies clinical competency issues with a physician undergoing treatment such issues would be reported to the Board by PHS. However, it is unusual for such issues to arise during treatment.

Dr. Bush opined on the possibility that how the Board credits and determines the period of sobriety may have positive effects in that it may encourage physicians to enter earlier into a treatment program and PHS contract.

Lisa Fuccione, Director of Enforcement, and Robert E. Harvey, Physician Health and Compliance Manager, were present via teleconference.

Responsive to the Board's request for feedback, Ms. Fuccione stated that this discussion would be helpful as it would provide the Enforcement Division with directions as to how the Board wishes to address matters where there are physicians with substance/alcohol use issues.

Mr. Harvey informed the Board that this issue has been a recurrent topic of discussion for PHS. As such he would defer to PHS with regards to any feedback on this matter.

Dr. Lee-Parritz inquired as to how other state Boards were approaching this issue and whether Massachusetts is leading on this issue. She also inquired as to whether there were any metrics available to better understand the outcomes of such treatments programs and the recidivism rate for physicians who have participated in treatment programs.

Responsive to the Board's inquiries, Dr. Albanese stated that he does not have information regarding how other states' Boards of Registration in Medicine handle this issue, but that he could put out a survey to the other Boards to ascertain such information.

This matter will be discussed again at the next board meeting.

Deferral of next agenda item

Dr. Bush informed the other Board members that due to a quorum issue the Board's consideration of the matter of Dr. Roberto Ciordia would be deferred to the next Board meeting.

Minutes

The Board considered the Public Session Minutes of the November 21, 2024 Board meeting.

Dr. Jubbal moved to approve the Public Session Minutes of the November 21, 2024 Board meeting.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

Dr. Qu - Abstain

The Chair voted Aye.

Motion carried 4-1-0 (Dr. Qu 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, 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 5, 2024.

Licensing Applications

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

Dr. Jubbal moved to approve the applications presented for licensure.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Dr. Jubbal – Aye

Dr. Lee-Parritz- Aye

Dr. Qu - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Dr. Bush stated that the Board will meet in Executive Session as authorized by Mass. General Law, chapter 30A, section 21 for purposes set at subsections (a)(1) and (a)(7). Specifically, the Board will re-view a 5H Report and a Petition for Stay of Suspension. 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. Jubbal seconded the motion.

Dr. Bush called the Roll:

Dr. Jubbal – Aye

Dr. Lee-Parritz- Aye

Dr. Qu - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

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

Public Session I ended at 10:58 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
December 5, 2024
11:32 a.m.
Public Session II

Members Participating Remotely:

Booker T. Bush, M.D., Physician Member, Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
Jason Qu, M.D., Physician Member
Aviva Lee-Parritz, M.D., Physician Member

Members absent:

Frank O'Donnell, Esq., Public Member, Vice Chair
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

Staff Present and Participating:

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

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 **Aslam** matter, Dr. Jubbal 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. Qu seconded the motion.

Dr. Bush called the Roll:

Dr. Jubbal – Aye

Dr. Lee-Parritz- Aye

Dr. Qu - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Bezabib** matter, Dr. Jubbal moved to ratify the acceptance of the Voluntary Agreement Not to Practice.

Dr. Qu seconded the motion.

Dr. Bush called the Roll:

Dr. Jubbal – Aye

Dr. Lee-Parritz- Aye

Dr. Qu - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Board Member Availability:

The Board considered their anticipated availability to attend the December 19, 2024, January 9, 2025 and January 23 Board meetings.

Dr. Bush indicated that he did not anticipate attending the January 9, 2025 Board meeting.

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

Announcements:

Dr. Bush stated that he was pleased that he will be attending the same conference in Seattle with Dr. Jubbal.

Documents Considered in Public Sessions I and II:

- Proposed Policy 2024-05 Physician Credentialing
- Memorandum RE: Calculation of Period of Sobriety for Physicians monitored by Physician Health Services (PHS)
- Public Session Minutes of the November 21, 2024 Board Meeting
- Licensing Applications Lists (see attached at TAB A)
- Motions and Votes