

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

February 16, 2023

10:30 a.m.

Public Session I

Members Participating Remotely:

Holly Oh, M.D., Physician Member, Secretary

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

Frank O'Donnell, Esq., Public Member

John McGahan, Public Member

Member(s) absent:

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

Nawal Nour, M.D., M.P.H., Physician 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: Jennifer Sadowski, Paralegal, Division of Law and Policy.

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

Dr. Oh called the meeting to order at 10:32 a.m., informing attendees that Dr. Robinson was absent from this meeting and that she would be serving as acting chair.

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

Dr. Bush – Aye

Mr. O'Donnell – Aye

Mr. McGahan - Aye

Dr. Oh voted Aye.

Motion carried 4-0 (unanimous).

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

Change in Federal Regulation of Buprenorphine Prescribing – Elimination of the “DATA-Waiver Program”

Steven Hoffman, Division of Law and Policy Manager provided the Board members of the change in regulation.

The Drug Enforcement Administration sent a letter dated January 12, 2023 (Tab 1) to all DEA registrants advising that a DATA-Waiver registration is no longer required to treat patients with buprenorphine and that there are no longer any limits on the number of patients a practitioner can treat for opioid use disorder with buprenorphine.

The Substance Abuse and Mental Health Services Administration (“SAMHSA”) announced that “Section 1262 of the Consolidated Appropriations Act, 2023 (also known as Omnibus bill), removes the federal requirement for practitioners to submit a Notice of Intent (have a waiver) to prescribe medications, like buprenorphine, for the treatment of opioid use disorder (OUD). With this provision, and effective immediately, SAMHSA will no longer be accepting NOIs (waiver applications). All practitioners who have a current DEA registration that includes Schedule III authority, may now prescribe buprenorphine for Opioid Use Disorder in their practice if permitted by applicable state law and SAMHSA encourages them to do so.” This change was effective December 29, 2022.

Section 1263 of the Omnibus spending bill also establishes new training requirements for all prescribers of controlled substances, which will take effect on June 21, 2023. The new law requires all prescribers of schedule II – V controlled substances (not just those prescribing buprenorphine) to take a one-time eight-hour training on identifying, treating, and managing patients with opioid or other substance use disorders. Certain physicians – including those board certified in addiction medicine – will be deemed to have met this training requirement through their specialty training and/or board certification. DEA and SAMHSA are working on this training requirement and are expected to provide further guidance.

SAMHSA has developed a Quick Start Guide for practitioners looking to prescribe buprenorphine as well as a comprehensive Treatment Improvement Protocol (TIP 63) on “use of the three Food and Drug Administration (FDA)-approved medications used to treat OUD—methadone, naltrexone, and buprenorphine—and the other strategies and services needed to support recovery for people with OUD.”

Attorney Hoffman stated that the Board may wish to consider adding the training links to the Board’s website.

Dr. Oh noted that this was an exciting development that may improve access to care for OUD treatment. Dr. Bush noted that it is important that physicians follow guidelines on buprenorphine prescribing.

Minutes:

The Board considered the Public Session Minutes of the February 2, 2023, Board meeting.

Dr. Bush moved to approve the Public Session Minutes of the February 2, 2023 Board meeting.
Mr. O'Donnell seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye

Mr. O'Donnell – Aye

Mr. McGahan - Aye

Dr. Oh voted Aye.

Motion carried 4-0 (unanimous).

Licensing:

Dr. Oh is recused from applications involving The Dimock Center and Cityblock Health, and Dr. Bush is recused from applications involving Baystate Medical Center, Springfield.

Michael Sinacola, Licensing Director, presented the licensing data as of February 16, 2023.

Licensing Applications:

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

- Application for Full Licensure approved by the Executive Director on January 20, 2023 (McLarney)
- Application for Full Licensure approved by the Executive Director on February 3, 2023 (Beetham-Yancey)
- Application for Limited Licensure approved by the Executive Director on February 3, 2023 (Harandi)
- Applications for Full Licensure approved by the Executive Director on February 4, 2023 (Felipe Bastos-Wong)
- Applications for Full Licensure approved by the Executive Director on February 6, 2023 (Birnbaum-Salnikova)
- Applications for Full Licensure approved by the Executive Director on February 6, 2023 (Rose)
- Applications for Full Licensure approved by the Executive Director on February 7, 2023 (Almadhoun-Zampi)

- Applications for Full Licensure approved by the Executive Director on February 8, 2023 (Alabi-You)
- Applications for Limited Licensure approved by the Executive Director on February 8, 2023 (Bhasin-Wang)
- Applications for Full Licensure approved by the Executive Director on February 9, 2023 (Ackerman-Turner)
- Applications for Full Licensure approved by the Executive Director on February 10, 2023 (Ahmed-Leander)
- Applications for Limited Licensure approved by the Executive Director on February 10, 2023 (Wert)
- Applications for Full Licensure approved by the Executive Director on February 11, 2023 (El Hage Sleiman - Wang)
- Applications for Full Licensure approved by the Executive Director on February 14, 2023 (Abuso-Wang)
- Applications for Full Licensure approved by the Executive Director on February 15, 2023 (Akpinar - Wamakima)
- Applications for Full Licensure approved by the Executive Director on February 15, 2023 (Natov)
- Applications for Changes to Existing Limited Licenses (Akash-Valovska)
- Applications for Full Licensure approved by the Licensing Committee (Man-Woessner)
- Applications for Full Licensure with Waiver approved by the Licensing Committee (Binebaum-Monrreal)
- Applications for Lapsed Licenses approved by the Licensing Committee (Bush)

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

Mr. McGahan seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye

Mr. O'Donnell – Aye

Mr. McGahan - Aye

Dr. Oh voted Aye.

Motion carried 4-0 (unanimous).

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

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

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

Dr. Bush moved to go into Executive Session.

Mr. O'Donnell seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye

Mr. O'Donnell – Aye

Mr. McGahan - Aye

Dr. Oh voted Aye.

Motion carried 4-0 (unanimous).

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

Public Session I ended at 10:41 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
February 16, 2023
11:14 a.m.
Public Session II

Members Participating Remotely:

Holly Oh, M.D., Physician Member, Secretary
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public Member
John McGahan, Public Member

Member(s) absent:

Julian N. Robinson, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., Physician 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: Jennifer Sadowski, Paralegal, Division of Law and Policy.

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

Motions and Votes

In the **Fisher** matter, Dr. Bush moved to grant the petition to withdraw the full license application and to authorize board counsel to seek dismissal of the proceeding at DALA.

Mr. McGahan seconded the motion.

Dr. Oh, Acting Chair, called the Roll:

Dr. Bush – Aye

Mr. O'Donnell – Aye

Mr. McGahan - Aye

Dr. Oh voted Aye.

Motions carried 4-0 (unanimous).

In the **Mayo** matter, Dr Bush moved to terminate the Probation Agreement.
Mr. O'Donnell seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell – Aye
Mr. McGahan - Aye

Dr. Oh voted Aye.
Motions carried 4-0 (unanimous).

In the **Marks** matter, Dr. Bush moved to ratify the acceptance of the Voluntary Agreement Not to Practice.
Mr. O'Donnell seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell – Aye
Mr. McGahan - Aye

Dr. Oh voted Aye.
Motions carried 4-0 (unanimous).

Board Member Availability

The Board discussed their anticipated availability to attend the March 2, 2023 and March 23, 2023 and April 6, 2023 Board Meetings.

Dr. Oh and Mr. McGahan indicated that they did not anticipate attending the March 2, 2023 Board meeting.

Attorney Zachos stated he would reach out to Dr. Robinson and Dr. Nour for their availability.

The Board members did not indicate any other scheduling conflicts that would prevent them from attending the aforementioned Board meetings. Attorney Zachos also mentioned that the Board's April 6, 2023 meeting may be in person in Wakefield, if the state Legislature does not vote to extend a waiver of the Open Meeting Law on or before March 31, 2023.

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

Dr. Bush moved to adjourn the Board meeting.
Mr. O'Donnell seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye

Mr. O'Donnell – Aye

Mr. McGahan - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Meeting adjourned at 11:17 a.m.

Documents Considered in Public Sessions I and II:

- Public Session Minutes of the February 2, 2023 Board Meeting
- Motions and Votes
- Licensing Applications Lists