

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

February 8, 2024

10:30 a.m.

Public Session I

Members Participating Remotely:

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

Frank O'Donnell, Esq., Public Member

John McGahan, Public Member

Sandeep Singh Jubbal, M.D., Physician Member

Member(s) absent:

Nawal Nour, M.D., M.P.H., Physician Member, Vice Chair

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. Bush called the meeting to order at 10:30 a.m.

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

Mr. O'Donnell – Aye

Dr. Jubbal – Aye

Mr. McGahan - Aye

The Acting Chair voted Aye.

Motion carried 4-0 (unanimous).

Dr. Bush stated that he would like to end the meeting at 11:30 a.m.

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 Best Practices for Closing a Medical Practice

Vita P. Berg, General Counsel, discussed the materials provided to the Board members at the January 25, 2024 Board meeting and informed the Board members that she and George Zachos, Executive Director, are contacting the Federation of States Medical Boards (FSMB) to ascertain how other states are managing this issue.

Ms. Berg then provided the Board members with an outline of the next steps, which include sharing the document with the Mass. Medical Society and the Mass. Health and Hospital Association.

Responsive to Dr. Bush's inquiry, Ms. Berg confirmed that this matter was not before the Board today for a vote.

Election of Board Officers

Dr. Bush observed to the other Board members that, pursuant to the Open Meeting Law, the Board members discuss the Election of Board Officers in the Public Session.

Mr. Zachos informed the Board members that Dr. Nour has informed him that she is not seeking a leadership position in the Board and will support the Board officers chosen today.

Additionally, Dr. Nour has indicated to him that she is not seeking reappointment and is willing to relinquish her position as Vice Chair.

Dr. Bush stated that he would like to ask the other Board members to consider nominating him as Chair to the Board.

Mr. O'Donnell moved to nominate Dr. Bush as Chair of the Board.

Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell – Aye

Dr. Jubbal – Aye

Mr. McGahan - Aye

The Acting Chair voted Aye.

Motion carried 4-0 (unanimous).

Dr. Bush suggested to the other Board members that Mr. O'Donnell should be nominated as the Board's Vice Chair and Dr. Jubbal as the Board's Secretary.

Mr. McGahan moved to nominate Mr. O'Donnell as the Board's Vice Chair.

Dr. Bush seconded the motion.

Dr. Bush called the Roll:

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

The Chair voted Aye.
Motion carried 4-0 (unanimous).

Mr. McGahan moved to nominate Dr. Jubbal as the Board's Secretary.
Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

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

The Chair voted Aye.
Motion carried 4-0 (unanimous).

Dr. Bush informed Dr. Jubbal that, as the Board's Secretary, Dr. Jubbal's signature would appear next to the Chair's signature on physician wallet cards.

Minutes

The Board considered the Public Session Minutes of the January 11, 2024 and January 25, 2024 Board meetings.

Mr. O'Donnell moved to approve the Public Session Minutes of the January 11, 2024 and January 25, 2024 Board meetings.
Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

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

The Chair voted Aye.
Motion carried 4-0 (unanimous).

Licensing

Mr. Sinacola introduced Richard Farmer, Manager, Licensing Division, to the Board and stated that he will be present at the Board meetings going forward.

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 Worcester, and Mr. McGahan is recused from applications involving the Gavin Foundation.

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing data as of February 8, 2024.

Licensing Applications

Dr. Bush asked for a motion to approve the applications for licensure approved by the Executive Director (see attached at TAB A), Changes to Existing Limited Licensure (see attached at TAB B) and Applications recommended by the Licensing Committee for the Board's approval (see attached at TAB C).

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

Dr. Bush called the Roll:

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

The Chair voted Aye.
Motion carried 4-0 (unanimous).

Dr. Bush opined that Massachusetts could benefit from having more physicians licensed in Massachusetts.

Dr. Bush stated that the Board will meet in Executive Session as authorized by Mass. General Law, chapter 30A, section 21 for purposes set forth at subsections (a)(1) and (a)(7). Specifically, the Board will review an initial full license application and will discuss the reputation, character, physical condition or mental health, rather than professional competence, of an applicant, or the discipline or dismissal of, or complaints or charges against the applicant, 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.

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

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

Mr. McGahan moved to go into Executive Session.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell – Aye

Mr. McGahan - Aye

Dr. Jubbal – 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 10:41 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
February 8, 2024
10:58 a.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
John McGahan, Public Member

Member(s) absent:

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
Michael Sinacola, Director of Licensing
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 **Goldstein** matter, Dr. Jubbal moved to approve the Full License Application.
Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell – Aye
Mr. McGahan – Aye
Dr. Jubbal – Aye

The Chair voted Aye.
Motion carried 4-0 (unanimous).

In the **Zamora-Quezada** matter, Mr. O'Donnell moved to allow the Motion to Substitute the Statement of Allegations with the Amended Statement of Allegations and issue the Amended Statement of Allegations.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell – Aye

Mr. McGahan – Aye

Dr. Jubbal – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Aronson-Fox** matter, Mr. O'Donnell moved to issue the Statement of Allegations and Order of Reference to the Division of Administrative Law Appeals.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell – Aye

Mr. McGahan – Aye

Dr. Jubbal – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Mohanty** matter, Mr. McGahan moved to terminate the Voluntary Agreement Not to Practice.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell – Aye

Mr. McGahan – Aye

Dr. Jubbal – Aye

The Chair voted Aye.

Motions carried 4-0 (unanimous).

In the **Yaremchuk** matter, Mr. O'Donnell moved to ratify the acceptance of the Voluntary Agreement Not to Practice.

Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

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

The Chair voted Aye.
Motion carried 4-0 (unanimous).

Board Member Availability:

The Board considered their anticipated availability to attend the February 29, 2024, March 14 2024 and March 28, 2024 Board Meetings.

Mr. McGahan indicated that he would not be able to attend the February 29, 2024 meeting.

There were no other scheduling conflicts identified by the attending Board members.

Dr. Bush thanked Mr. Zachos, Ms. Berg and Ms. Fuccione for their efforts to expedite this meeting as one of the Board members had a “hard stop” at 11:30 a.m.

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

Mr. O'Donnell moved to adjourn the meeting.

Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

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

The Chair voted Aye.
Motion carried 4-0 (unanimous).

The Board meeting adjourned at 11:03 a.m.

Documents Considered in Public Sessions I and II:

- Memorandum RE: Proposed Best Practices for Closing a Practice
- Public Session Minutes of the January 11, 2024 and January 25, 2024 Board Meetings
- Licensing Applications Lists (see attached at TAB A, B and C)
- Motions and Votes