

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

January 23, 2025

10:30 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
Aviva Lee-Parritz, M.D., Physician Member

Member(s) absent:

Yvonne Y. Cheung, MD, MPH, MBA, Physician Member
Jason Qu, M.D., Physician Member

Staff Present and Participating:

George Zachos, Executive Director
Vita P. Berg, General Counsel
Daniela Brown, Director of the Quality and Patient Safety Division
Steven Hoffman, Manager, Division of Law and Policy
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, was present to record the Board meeting.

Dr. Bush called the meeting to order at 10:33 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

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.

Quality and Patient Safety Committee (QPSC) Charter:

Daniela Brown, Director of the Quality and Patient Safety Division, provided the Board members with an overview of the proposed QPSC Charter (see attached at TAB A). In so doing, Ms. Brown discussed the scope, goals and structure of the Quality and Patient Safety Committee (QPSC). This included detailing the duties of the QPSC members, term limits, and anticipated changes to the QPSC that will increase the number of members from fifteen to eighteen. The number of members necessary to establish a quorum is six.

Ms. Brown also discussed the operational goals of QPSC and informed the Board members that QPSC uses the Safety and Quality Review (SQR) report data to advise Massachusetts healthcare facilities in the maintenance and improvement of their patient care systems.

Dr. Bush expressed his appreciation for the presentation on the QPSC Charter.

Dr. Bush asked for a motion to approve the QPSC Charter as presented by Ms. Brown.

Mr. O'Donnell moved to approve the QPSC Charter.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Quality and Patient Safety Committee (QPSC) Reappointment:

(Member Reappointment List attached at TAB B)

Ms. Brown provided the Board members with an overview of the makeup of the members participating in QPSC and asked the Board members to vote to reappoint for another three-year term the members as presented in the list provided to the Board members.

Mr. O'Donnell moved to reappoint the QPSC members, pursuant to the list provided to the Board members by Ms. Brown, for another three-year term.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

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

Full and Limited License Application Process Improvement:

George Zachos, Executive Director, informed the Board that BORIM is taking a proactive approach to expedite license applications submitted by applicants for whom issuance of a license may be a prerequisite for a visa that authorizes residency and employment. Mr. Zachos stated that systems are in place to identify this class of applicants and expedite application processing and Licensing Committee review. This approach recognizes that licensure may not be the only requirement these applicants must meet prior to the start dates of their residency programs or employment, and to minimize disruptions and late starts attributable to delays in the licensing process.

Mr. Zachos informed the Board that this presentation was for informational purposes only and that the Board did not need to vote on this matter.

Voluntary Agreement Not to Practice Template Update:

Vita P. Berg, General Counsel, presented the Board with an overview of the following updates to the Voluntary Agreement Not to Practice (VANP) template:

1. Inclusion of a new paragraph that clarifies the license status which will be in effect during the duration of the VANP, and also acknowledges that a corresponding change will be made to the physician's Massachusetts Controlled Substances Registration (MCSR).
2. Update to the paragraph specifying consequences for violating the VANP. The existing language contemplates that the Board will bring a summary suspension proceeding to DALA upon learning that the physician violated the VANP. The update brings the VANP in line with the template for probation agreements in that it calls for immediate suspension effective on written notice. The suspension would remain in effect until the Board decides to lift it, or the Board resolves the underlying complaint.
3. Clarification that the attorney signing the VANP is not a party to the agreement but rather certifying that the attorney advised the physician prior to the physician's signing the VANP.

Dr. Bush asked for a motion to approve the updates to the VANP template as presented by Ms. Berg.

Mr. O'Donnell moved to approve the updates to the VANP template as presented by Ms. Berg. Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Next Steps on Emergency Regulations:

Ms. Berg informed the Board that this presentation was for informational purposes only and that no vote would be taken on this matter.

Ms. Berg stated that, since the Board voted to approve the Emergency Regulations at its January 9, 2025 meeting, the Regulations were filed with the Secretary of State and are now in effect.

Ms. Berg informed the Board that the Emergency Regulations are now in the public comment period and that the Emergency Regulations will need to be promulgated within 90 days from the date of the Board's January 9, 2025 vote. Accordingly, there will be a public hearing on the Emergency Regulations on February 18, 2025 at 10 a.m. and the hearing will be held via a moderated conference call. This meeting notice will be published in the Massachusetts Register and the Boston Herald on January 31, 2025 and January 27, 2025 respectively.

Ms. Berg provided the Board with a brief overview of how the public hearing will be conducted. She informed the Board that it will be important to have a quorum for the February 27, 2025 Board meeting in order to review public comments and vote on any changes to the Emergency Regulations language if needed. She then stated that the Board would need to have a final vote on the Emergency Regulations on March 13, 2025 if further changes are needed after the review process.

Minutes

The Board considered the Public Session Minutes of the January 9, 2025 Board meeting.

Ms. O'Donnell moved to approve the Public Session Minutes of the January 9, 2025 Board meeting.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair abstained due to absence.

Motion carried 3-0-1 (Dr. Bush 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, and Dr. Lee-Parritz is recused from Boston Medical Center.

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing data as of January 23, 2025.

Licensing Applications

Mr. O'Donnell asked for a motion to approve the applications for licensure (see attached at TAB C).

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. Lee-Parritz - 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 sub-sections (a)(1) and (a)(7). Specifically, the Board will review a licensee who has entered into a Probation Agreement and determine whether the licensee is in compliance with their Probation Agreement. In so doing, the Board will discuss the reputation, character, physical condition or mental health, rather than professional competence, of applicant or petitioner, or the discipline or dismissal of, or complaints or charges against the applicant or petitioner, 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.

Mr. O'Donnell moved to go into Executive Session.
Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - 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 10:48 a.m.

BOARD OF REGISTRATION IN MEDICINE

**178 Albion Street, Suite 330
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(Teleconference)

January 23, 2025

12:12 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
Aviva Lee-Parritz, M.D., Physician Member

Member(s) absent:

Yvonne Y. Cheung, MD, MPH, MBA, Physician Member
Jason Qu, 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:

Dr. Bush read the following vote taken in the Adjudicatory Session regarding Dr. Kristen Lindgren.

The Board voted to deny the request to accept Dr. Cohen's second report in satisfaction of the Board's September 4, 2024 Order that Dr. Lindgren submit to a neuropsychiatric examination pursuant to General Law chapter 112, section 5H, and further to order Dr. Lindgren to submit to a forensic psychiatric examination conducted by Dr. Matthew Lahaie of the MGH Law and Psychiatric Service to include neuropsychological testing. The Board further voted to modify the Board's September 4, 2024 Temporary Order of Summary Suspension to allow Dr. Lindgren to engage in the practice of medicine for 30 days for the limited purpose of completing reports for patients for whom she has already started an evaluation in her most recent practice setting and that do not require further patient visits or testing in order to complete the report, provided that she first identify the patients to board staff and further providing that the Board may consider the completion of any such reports as mitigation in the pending disciplinary matter.

In the **Epstein** matter, Mr. O'Donnell moved to issue the Statement of Allegations and approve the Consent Order, reprimanding Dr. Epstein's license to practice medicine.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Kayastha** matter, Mr. O'Donnell moved to terminate the Summary Suspension of Dr. Kayastha's license to practice medicine. Mr. O'Donnell further moved to accept the Resignation of Dr. Kayastha's license to practice medicine, pursuant to 243 CMR 1.05(5)(b).

Dr. Jubbal seconded the motions.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motions carried 4-0 (unanimous).

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

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

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

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

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

In the **Dean** matter, Mr. O'Donnell moved to accept the Resignation of Dr. Dean's inchoate right to renew his license to practice medicine, pursuant to 243 CMR 1.05(5)(b).
Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 4-0 (unanimous).

In the **Shafa** 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
Dr. Jubbal – Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 4-0 (unanimous).

Board Member Availability:

The Board considered their anticipated availability to attend the February 6, 2025, February 27, 2025 and March 13, 2025 Board meetings.

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

Dr. Jubbal indicated that the he did not anticipate attending the March 13, 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. Lee-Parritz moved to adjourn the meeting.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz- Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Documents Considered in Public Sessions I:

- Quality and Patient Safety Committee (QPSC) Charter (attached at TAB A)
- Quality and Patient Safety Committee (QPSC) Reappointment List (attached at TAB B)
- Memorandum RE: Proposed Revisions to Standard VANP
- Public Session Minutes of the January 9, 2025, 2024 Board Meeting
- Licensing Applications Lists (see attached at TAB C)