

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

January 6, 2022

10:31 a.m.

Public Session I

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Vice Chair
Woody Giessmann, LADC-I, CADC, CIP, CAI, Public Member
Deborah Levine, M.D., Physician Member
Holly Oh, M.D., Physician Member
Nawal Nour, M.D., M.P.H., Physician Member
Booker T. Bush, M.D., 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
Michael Sinacola, Licensing Director
Debra G. Stoller, Senior Board Counsel

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

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

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

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

Mr. Giessmann – Aye

Dr. Levine – Aye

Dr. Oh- Aye

Dr. Nour - Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

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

Geller, Aaron

The Board considered the lapsed license application.

Dr. Geller was present, via teleconference, during the Board's consideration of his lapsed license application.

Debra G. Stoller, Senior Board Counsel, provided the Board with an overview of Dr. Geller's licensing history, Board certifications and practice specialties. Additionally, Ms. Stoller provided the Board with an overview of Dr. Geller's 2018 disciplinary matter with the New Hampshire Board of Registration in Medicine.

Dr. Levine discussed her reasons for referring this matter to the full Board after considering this matter in the Licensing Committee.

Dr. Geller addressed the Board including questions posed to him by the Board members. Specifically, Dr. Geller addressed questions regarding his prescribing practices and patient documentation practices that served as the basis for disciplinary action taken against him by the New Hampshire Board of Registration in Medicine.

Dr. Geller described to the Board his understanding of New Hampshire opioid prescribing rules and regulations regarding patient drug testing.

Dr. Geller discussed the protocols that he followed regarding having his patients undergo drug testing and how he believes they relate to the prescribing rules and regulations in the state of New Hampshire.

Ms. Stoller advised the Board that at this juncture the Board may rely upon the findings made by and discipline imposed by the state of New Hampshire. However, the Board could defer in this matter and refer this matter to the Enforcement Division for further consideration.

Request for Continuing Medical Education Credit – Prescribing Opiates in 2021:

Eileen A. Prebensen, Senior Policy Counsel, presented a request by Carrie Roberts, B.S., CHCP, Director of Continuing Medical Education for Steward Health Care System, for a one credit course titled, "Prescribing Opiates in 2021."

This course would be a one-hour, self-guided course via PowerPoint presentation.

Ms. Prebensen provided an overview of the course objectives.

Responsive to Dr. Levine's inquiry, Ms. Prebensen informed the Board that the course could be used toward the Risk Management or the Opioid Education and Pain Management requirements. To use the 1-credit course towards both requirements, the licensee would count 0.5 credits toward each requirement.

Dr. Robinson moved to approve the Request for 1 credit of Continuing Medical Education credit for the course “Prescribing Opiates in 2021 offered by Steward Health Care System.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine – Aye

Dr. Oh- Aye

Dr. Nour - Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Discussion on Offering Safe Haven Non-Reporting to Applicants for Licensure:

George Zachos, Executive Director, discussed with the Board that 17 states currently have Safe Haven Non-Reporting provisions for licensed physicians and physician licensing applicants.

Mr. Zachos outlined for the Board members the next steps to be taken that would allow licensed physicians and physician licensing applicants in Massachusetts to have the option for Safe Haven Non-Reporting on their licensing applications. The next steps would be the Board’s review and approval of the proposed amended licensing applications that would incorporate the Safe Haven Non-Reporting provision.

Licensing:

Dr. Robinson is recused from license applications from Newton Wellesley Hospital, Mr. Giessmann is recused from applications involving Right Turn, Dr. Levine is recused from Beth Israel Lahey Health, Dr. Nour is recused from Brigham and Women’s Hospital and Dana-Farber Cancer Institute, Dr. Oh is recused from applications involving The Dimock Center, and Dr. Bush is recused from applications involving Baystate Medical Center.

Michael Sinacola, Licensing Director presented the licensing data as of January 6, 2022.

Licensing Applications:

Applications for **full licensure** (Abdel-Massih - Zimmerman)

Dr. Levine moved to approve the full licenses.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour-Aye
Dr. Bush – Aye

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

Applications for **limited licensure** (Arora - Medawar)
Dr. Levine moved to approve the limited licenses.
Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour-Aye
Dr. Bush – Aye

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

Application for **temporary faculty licensure reviewed by the Licensing Committee** (Foz).
Dr. Levine moved to approve the full licenses with Waiver Review by the Licensing Committee.
Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour-Aye
Dr. Bush – Aye

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

Applications for **full licensure with waiver reviewed by the Licensing Committee** (Gabr – Moynihan).
Dr. Levine moved to approve the full licenses with waiver reviewed by the Licensing Committee.
Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Oh – Aye

Dr. Nour-Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Applications for **full licensure reviewed by the Licensing Committee** (Chirichigno – Waterman).

Dr. Levine moved to approve the full licenses reviewed by the Licensing Committee.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Oh – Aye

Dr. Nour-Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Application for **lapsed licensure reviewed by the Licensing Committee** (Chamberlain).

Dr. Levine moved to approve the lapsed license reviewed by the Licensing Committee.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Oh – Aye

Dr. Nour-Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Minutes:

The Board considered the Public Session Minutes of the December 16, 2021 Board meetings.

Dr. Levine moved to approve the Public Session Minutes of the December 16, 2021 Board meeting.

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine – Aye

Dr. Nour - Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 5-0 (unanimous).

Dr. Oh was not able to participate, due to technical issues, in the vote to approve the Public Session Minutes of the December 16, 2021 Board meeting.

Dr. Levine inquired whether licensing votes could be consolidated or put into a consent agenda.

Mr. Sinacola informed the Board that Ms. Berg was looking into new approaches for consolidating licensing votes for the Board meetings.

Dr. Robinson stated that the Board would 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 would review pending license applications, a petition to approve evaluator, petitions for license status changes and compliance with monitoring contracts, and would discuss the reputation, character, physical condition or mental health, rather than professional competence of license applicants and licensees, or the discipline or dismissal of, or complaints or charges against license applicants and licensees, 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 would also be reviewing Executive Session Minutes.

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

Dr. Levine moved to go into Executive Session.

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Nour – Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 5-0 (unanimous).

Dr. Oh's technical issues continued and she did not vote.

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

Public Session I ended at 11:07 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
January 6, 2022
12:31 p.m.
Public Session II

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Vice Chair
Woody Giessmann, LADC-I, CADC, CIP, CAI, Public Member
Deborah Levine, M.D., Physician Member
Holly Oh, M.D., Physician Member
Nawal Nour, M.D., M.P.H., Physician Member
Booker T. Bush, M.D., Physician Member

Staff Present and Participating:

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Vita P. Berg, General Counsel
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.

Mr. Giessmann acknowledged the late University of Massachusetts Professor, Bill Carlos, for his forty years of service to licensing professionals who treat individuals with substance use disorder.

Motions and Votes

In the **Geller** matter, Dr. Robinson moved to refer the application to the Division of Enforcement pursuant to 243 CMR 2.06(7)(b)2.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

In the **Snitovsky** matter, Dr. Robinson moved to approve the full license application.
Dr. Nour seconded the motions.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye

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

In the **O'Connor** matter, Dr. Robinson moved to approve Dr. Leritz to perform the evaluation.
Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye

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

In the **Pinar** matter, Dr. Robinson moved to revive the lapsed license, and to terminate the Voluntary Agreement not to Practice contingent upon Dr. Pinar's entry into a modified Probation Agreement that includes the following:

- Completion of assessment by PHS and agreement to make further modifications to the Probation Agreement to implement PHS recommendations;
- Limitation of practice to current employment with Millennium, with monitoring by the proposed monitors.

Mr. Giessmann seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Oh – Aye

Dr. Nour - Aye
Dr. Bush – Aye

Dr. Levine - Abstains

The Chair voted Aye.
Motion carried 5-0-1 (Dr. Levine abstained).

In the **Robinson** matter, Dr. Robinson moved to stay the suspension and approve the proposed Probation Agreement.
Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye

Mr, Giessmann - Abstains

The Chair voted Aye.
Motions carried 5-0-1.

In the **Vangelder** matter, Dr. Robinson moved to dismiss the Statement of Allegations.
Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye

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

In the **Matthews** matter, Dr. Robinson moved to terminate the summary suspension contingent upon Dr. Matthews' entry into a Non-Disciplinary Agreement not to practice in resolution of the complaint.
Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye

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

Board Member Availability

The Board members discussed their anticipated availability to attend the January 20, 2022, February 3, 2022 and February 17, 2022 Board meetings.

Dr. Levine indicated that she would not be attending the January 20, 2022 Board meeting.

Dr. Nour indicated that she may not be attending the January 20, 2022 Board meeting.

The remaining Board members did not indicate any conflict with their schedules that would prevent them from attending the January 20, 2022 Board meeting.

The Board members indicated that they anticipated attending the February 3, 2022 and February 17, 2022 Board meetings.

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

Dr. Bush moved to adjourn the Board meeting.
Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye

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

Meeting adjourned at 12:39 p.m.

Documents Considered in Public Sessions I and II:

- Memorandum RE: Aaron Geller, M.D. – Lapsed License Application
- Licensing Applications List
- Memorandum RE: Request for CME Credits – “Prescribing Opiates in 2021”

- Public Session Minutes of the December 16, 2021 Board meetings
- Motions and Votes