**BOARD OF REGISTRATION IN MEDICINE**

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

**(Teleconference)**

**June 27, 2024**

**10:30 a.m.**

**Public Session I**

**Members Participating Remotely:**Frank O’Donnell, Esq., Public Member, Vice Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
John McGahan, Public Member
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

**Member(s) Absent:**

Booker T. Bush, M.D., Physician Member, Chair
Aviva Lee Paritz, M.D., Physician Member
Jason Qu, M.D., Physician Member

**Staff Present and Participating:**

Vita P. Berg, General Counsel
Michael Sinacola, Director of Licensing
Steven Hoffman, Division of Law and Policy Manager

Robert E. Harvey, Physician Health and Compliance Manager

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

Alanna Sheils, Stenographer, was present to record the Board meeting.

Mr. O’Donnell was Acting Chair in Dr. Bush’s absence.

Mr. O’Donnell called the meeting to order at 10:33 a.m.

Mr. O’Donnell called the Roll to confirm that there was a quorum of the Board.

Dr. Jubbal – Aye
Mr. McGahan - Aye
Dr. Cheung - Aye

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

Mr. O’Donnell informed those individuals in attendance that the Board meeting was being conducted via teleconference. Additionally, the Board meeting was being recorded by a stenographer.

**Arle, Jeffrey**

The Board considered the Reconsideration of Petition to Terminate Probation.

Robert E. Harvey, Physician Health and Compliance Manager, was present via teleconference.

Mr. Harvey informed the Board that Dr. Arle has completed his Continuing Medical Education requirements and that he has complied with the terms of his Probation Agreement.

In the **Arle** matter, Mr. McGahan moved to terminate the Probation Agreement.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

**Minutes**

The Board considered the Public Session Minutes of the June 13, 2024 Board meeting.

Mr. McGahan moved to approve the Public Session Minutes of the June 13, 2024 Board meeting
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Abstain

The Acting Chair voted Aye.
Motion carried 3-1-0 (Dr. Cheung abstained due to absence.).

**Licensing**

The Board members stated their recusal information. Dr. Jubbal is recused from applications involving UMass Memorial Medical Center, Mr. McGahan is recused from applications involving the Gavin Foundation, and Dr. Cheung recused from applications involving Baystate Medical Springfield.

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing data as of June 27, 2024.

**Licensing Applications**

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

Mr. McGahan moved to approve the applications presented for licensure.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

Mr. O’Donnell stated thatthe 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 review a Voluntary Agreement Not to Practice Medicine and will discuss the reputation, character, physical condition or mental health, rather than professional competence, of applicants, or the discipline or dismissal of, or complaints or charges against applicants, 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 review 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.

Mr. O’Donnell asked for a motion to go into Executive Session.

Mr. McGahan moved to go into Executive Session.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr.Cheung - Aye

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

Mr. O’Donnell stated that the Board would go into Executive Session.

Public Session I ended at 10:39 a.m.

**BOARD OF REGISTRATION IN MEDICINE**

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

**(Teleconference)**

**June 27, 2024**

**10:39 a.m.**

**Executive Session**

**Members Participating Remotely:**Frank O’Donnell, Esq., Public Member, Vice Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
John McGahan, Public Member
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

**Member(s) Absent:**

Booker T. Bush, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., Physician Member
Jason Qu, M.D., Physician Member

**Staff Present and Participating:**

Vita P. Berg, General Counsel
Steven Hoffman, Division of Law and Policy Manager

Robert E. Harvey, Physician Health and Compliance Manager

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

Alanna Sheils, Stenographer, was present to record the Board meeting.

The Board considered the Executive Session Minutes of the June 13, 2024 Board meeting.

Mr. McGahan moved to approve the Executive Session Minutes of the June 13, 2024 Board meeting,
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Abstain

The Acting Chair voted Aye.
Motion carried 3-1-0 (Dr. Cheung abstained due to absence.).

**Richards, Jeremy**

The Board considered the acceptance of the Voluntary Agreement Not to Practice.

Mr. Harvey, Physician Health and Compliance Manager, was present via teleconference.

Mr. Harvey confirmed that Dr. Richards and his attorney, Paul Cirel, were notified that this matter would be considered but will not be present during the Board’s consideration of this matter.

Mr. Harvey stated that this matter was a straightforward Voluntary Agreement Not to Practice in light of concerns with Dr. Richard’s compliance with his Probation Agreement.

The Board will vote this matter in Public Session II.

Mr. O’Donnell asked for a motion to go into Adjudicatory Session.

Mr. McGahan moved to go into Adjudicatory Session.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

The Executive Session ended at 10:42 a.m.

**BOARD OF REGISTRATION IN MEDICINE**

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

**(Teleconference)**

**June 27, 2024**

**10:42 a.m.**

**Adjudicatory Session**

**Members Participating Remotely:**Frank O’Donnell, Esq., Public Member, Vice Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
John McGahan, Public Member
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

**Member(s) Absent:**

Booker T. Bush, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., Physician Member
Jason Qu, M.D., Physician Member

**Staff Present and Participating:**

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.

Alanna Sheils, Stenographer, present to record the Board meeting.

**Minutes:**

The Board considered the Adjudicatory Session Minutes of the June 13, 2024 Board meeting.

Mr. McGahan moved to approve the Adjudicatory Session Minutes of the June 13, 2024 Board meeting.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Abstain

The Acting Chair voted Aye.
Motion carried 3-1-0 (Dr. Cheung abstained due to absence.).

**Chao, Hanpu**

The Board considered the Recommended Decision and Final Decision and Order.

Ms. Berg stated it was not anticipated that Dr. Chao would be attending the Board’s consideration of this matter as Dr. Chao has not responded to any of the Board’s communications.

Rachel Shute, Complaint Counsel, was present via teleconference.

Ms. Shute informed the Board that this matter is before them based on Dr. Chao’s failure to provide medical records as requested by his patient. Additionally, Dr. Chao has been unresponsive throughout the pending Adjudicatory process and that the matter is now before the Board as an Order of Default because of Dr. Chao’s lack of response.

The Board will vote in Public Session II.

Mr. O’Donnell asked for a motion to go into M.G.L. c. 112, § 65C Session.

Mr. McGahan moved to go into 65C Session.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

The Adjudicatory Session ended at 10:44 a.m.

**BOARD OF REGISTRATION IN MEDICINE**

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

**(Teleconference)**

**June 27, 2024**

**10:44 a.m.**

**65C Session**

**Members Participating Remotely:**Frank O’Donnell, Esq., Public Member, Vice Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
John McGahan, Public Member
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

**Member(s) Absent:**

Booker T. Bush, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., Physician Member
Jason Qu, M.D., Physician Member

**Staff Present and Participating:**

Vita P. Berg, General Counsel
Steven Hoffman, Division of Law and Policy Manager
Darina Griffin, Deputy Director of Enforcement

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

Alanna Sheils, Stenographer, present to record the Board meeting.

**Minutes:**

The Board considered the Mass. Gen. Laws c. 112, s. 65C Session Minutes of the June 13, 2024 Board meeting.

Mr. McGahan moved to approve the Mass. Gen. Laws c. 112, s. 65C Session Minutes of the June 13, 2024 Board meeting.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Abstain

The Acting Chair voted Aye.
Motion carried 3-1-0 (Dr. Cheung abstained due to absence.).

**Pineda, Roberto**

The Board considered the Amended Statement of Allegations.

Erik Bennett, Complaint Counsel, was present via teleconference.

Mr. Bennett informed the Board that the Amendment to the Statement of Allegations was before them because the Operating Under the Influence charge contained in the original Statement of Allegations was dismissed. Additionally, he is asking the Board to include violation of Policy 01-01 and to correct a scrivener’s error in the original Statement of Allegations.

The Board will vote this matter in Public Session II.

**Hallowell, Edward**

The Board considered the Enforcement Division’s recommendations for negotiating a possible Consent Order.

Mr. Bennet was present via teleconference.

Mr. Bennett informed the Board that this matter was before them because Dr. Hallowell engaged in sexually inappropriate comments with a patient who later became his girlfriend. Additionally, Dr. Hallowell has undergone courses to address boundary violation, therapy to address impulse control and has completed his treatment with Physician Health Services. He also informed the Board that Dr. Hallowell’s patient has moved to Florida and cannot be compelled to testify in this matter.

Mr. Bennett asked the Board to authorize him to negotiate a Consent Order with the sanction of admonishment to resolve this matter.

In the **Hallowell** matter, Mr. McGahan moved to authorize Complaint Counsel to resolve this matter with a Consent Order that includes an admonishment.
Dr. Jubbal seconded the motion.

Mr. McGahan called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Qu - Aye

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

**Hart, Geoffrey**

The Board considered the acceptance of the Voluntary Agreement Not to Practice.

Steven Hoffman, Division of Law and Policy Manager, recused himself in this matter and was not present during the Board’s consideration of this matter.

Ms. Berg informed the Board that Darin Griffin, Deputy Director of Enforcement, was present as Lisa Fuccione, Director of Enforcement, was on vacation.

Sheryl Bourbeau, Complaint Counsel, was present via teleconference.

Ms. Bourbeau informed the Board that this matter was before them because Dr. Hart underwent a psychiatric evaluation as previously ordered by the Board and the results indicated that he may be experience neurocognitive issues that may impair his ability to practice medicine.

The Board will vote this matter in Public Session II.

Mr. O’Donnell asked for a motion to return to the Public Session.

Dr. Cheung moved to go into Public Session II.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

The 65C Session ended at 10:52 a.m.

**BOARD OF REGISTRATION IN MEDICINE**

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

**(Teleconference)**

**June 27, 2024**

**10:52 a.m.**

**Public Session II**

**Members Participating Remotely:**Frank O’Donnell, Esq., Public Member, Vice Chair
Sandeep Singh Jubbal, M.D., Physician Member, Secretary
John McGahan, Public Member
Yvonne Y. Cheung, MD, MPH, MBA, Physician Member

**Member(s) Absent:**

Booker T. Bush, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., Physician Member
Jason Qu, M.D., Physician Member

**Staff Present and Participating:**

Vita P. Berg, General Counsel

Steven Hoffman, Division of Law and Policy Manager

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

Alanna Sheils, Stenographer, present to record the Board meeting.

**Motions and Votes**

In the **Richards** matter, Mr. McGahan moved to ratify the acceptance of the Voluntary Agreement Not to Practice.
­­­Dr. Cheung seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

In the **Chao** matter, Mr. McGahan moved to issue the Final Decision and Order revoking Dr. Chao’s inchoate right to renew his license to practice medicine.
Dr. Cheung seconded the motions.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

In the **Pineda** matter, Mr. McGahan moved to issue the Amended Statement of Allegations.
Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

In the **Hart** matter, Mr. McGahan moved to accept the Voluntary Agreement Not to Practice.

Dr. Jubbal seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

**Board Member Availability:**

The Board considered their anticipated availability to attend the July 18, 2024, August 15, 2024 and September 12, 2024 Board Meetings.

Mr. O’Donnell indicated that he was unsure of his availability for the July 18, 2024 meeting.

Mr. McGahan indicated that he may not be available for the September 12, 2024 meeting.

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

Mr. O’Donnell asked for a motion to adjourn the Board meeting.

Mr. McGahan moved to adjourn the meeting.

Dr. Cheung seconded the motion.

Mr. O’Donnell called the Roll:

Mr. McGahan - Aye
Dr. Jubbal – Aye
Dr. Cheung - Aye

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

The Board meeting adjourned at 10:55 a.m.

**Documents Considered in Public Sessions I and II:**

* Memorandum RE: Jeffrey Arle, M.D. – Reconsideration of Petition to Terminate Probation Agreement
* Public Session Minutes of the June 13, 2024 Board Meeting
* Licensing Applications Lists (see attached at TAB A)
* Motions and Votes