

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

June 30, 2022

10:32 a.m.

Public Session I

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Chair
Woody Giessmann LADC-I, CADC, CIP, AIS, Public Member
Holly Oh, M.D., Physician Member
Nawal Nour, M.D., M.P.H., Physician Member
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public Member

Staff Present and Participating:

George Zachos, Executive Director
Vita P. Berg, General Counsel
Steven Hoffman, Division of Law and Policy Manager
Michael Sinacola, Licensing Director
Eileen A. Prebensen, Senior Policy Counsel
Robert E. Harvey, Physician Health and Compliance Manager

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 10:32 a.m.

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

Mr. Giessmann – Aye

Dr. Oh- Aye

Dr. Nour-Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

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

Documented Compliance for Physician Health Services' (PHS) Contracts:

Bara Litman-Pike, Psy.D., Executive Director, Physician Health Services, Inc., Debra Grossbaum, General Counsel, Physician Health Services, Inc., and Dr. Mark Albanese, Medical Director, Physician Health Services, Inc. were present via teleconference. Dr. Albanese addressed the Board and discussed the ongoing collaboration between Physician Health Services (PHS) and the Board of Registration in Medicine (BORIM) regarding PHS' monitoring programs and contracts.

PHS contracts with physicians are usually for a 3-year term. Studies indicate that 3 years of abstinence is a crucial inflection point in terms of decreased risk of relapse. Historically, PHS begins this term on the date that the contract is signed. In some instances, physicians sign their contract after completion of another, shorter-term structured substance use disorder treatment program. PHS inquired whether the Board had any objection to including pre-contract periods of documented abstinence through structured programs for purposes of determining that 3 years of abstinence has been met.

George Zachos, Executive Director, indicated that the Board also uses documented abstinence time when appropriate. These decisions are made on a case-by-case basis.

Online Licensing Application Update:

George Zachos, Executive Director, informed the Board that he anticipated that Online Licensing Application system would be going into effect sometime between the middle or the end of summer.

Michael Sinacola, Director of Licensing, informed the Board that Mr. Zachos and Dennis Hanson, BORIM IT Program Manager, were meeting regularly with vendors in the development of the Online License Application program.

Mr. Sinacola praised Mr. Hanson for his efforts, which included meetings with stake holders to provide them with a demonstration of the Online Licensing Application program and conducting beta testing with volunteers. Resulting from this testing, Mr. Sinacola informed the Board that the feedback BORIM received from the volunteers was positive and that changes to the program have been implemented based on the feedback provided by the volunteers.

Mr. Sinacola stated that the next step would be to have volunteers from the Conference of Boston Teaching Hospitals (COBETH) test the program and provide feedback to BORIM.

Conference on Status of Monitoring Plan in the Matter of Leonardo Velazquez:

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

Attorney Paul W. Shaw, attorney for Dr. Leonardo Velazquez, was present via teleconference.

Dr. Robinson provided the other Board members with an overview of this matter.

Vita P. Berg, General Counsel, discussed her concerns with respect to setting a precedent for early termination of Probation Agreements.

Mr. Shaw addressed the Board and opined that such concerns should not dissuade the Board from terminating Dr. Velazquez's probation agreement.

Mr. Harvey informed the Board that, if they are inclined to terminate Dr. Velazquez's probation agreement, a Board Order has been drafted that would distinguish this matter from other cases.

Minutes:

The consideration of the draft Public and Executive Session June 16, 2022 minutes were deferred to a future Board agenda. Since minutes were the only item on the Executive Session agenda for this meeting, the Executive Session did not take place.

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

Dr. Oh moved to go into Adjudicatory Session.

Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Oh – Aye

Dr. Nour – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 5-0 (unanimous).

Dr. Bush was not available during the Roll Call vote due to loss of connectivity to the remote meeting.

The Public Session ended at 10:58 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
June 30, 2022
12:21 p.m.
Public Session II

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Chair
Woody Giessmann LADC-I, CADC, CIP, AIS, Public Member
Holly Oh, M.D., Physician Member
Nawal Nour, M.D., M.P.H., Physician Member
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public 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.

Licensing:

Dr. Robinson is recused from license applications from Newton Wellesley Hospital, Mr. Giessmann is recused from applications involving Right Turn, Dr. Nour is recused from Brigham and Women's Hospital and Dana Farber, 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 June 30, 2022.

Licensing Applications:

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

- Applications for Full Licensure (Abo-Sido - Zywtot)
- Applications for Full Licensure Approved by the Executive Director on June 17, 2022 (Arce – Zheng)

- Application for Full Licensure Approved by the Executive Director on June 21, 2022 (Topaloglu)
- Applications for Full Licensure with Waiver Reviewed by the Licensing Committee (Chernyy – Surana).
- Applications for Full Licensure Reviewed by the Licensing Committee (Campbell – Terekhova)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on May 27, 2022 (Addonizio – Ziadkhanpour)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 3, 2022 (Abbott – Wilson)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 10, 2022 (Adams – Yahn)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 17, 2022 (Gondi – Worku)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 23, 2022 (Fynke – Ugwu-Dike)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 24, 2022 (Djunaedi – Wendeu)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on April 22, 2022 (Aalberg – Yi)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on May 6, 2022 (Achen – Zhou)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on May 13, 2022 (Abdalla – Zhang)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on May 20, 2022 (Adams – Zhong)
- Applications for Limited Licensure (Abumoawad – Zhu)
- Applications for Limited Licensure with Waiver Reviewed by the Licensing Committee (Idriss – Patel)
- Applications for Limited Licensure Reviewed by the Licensing Committee (Achebe – Skop)
- Applications for Change of Program Reviewed by Licensing Committee (Alicius)
- Applications for Limited Licensure Renewals Reviewed by the Licensing Committee (Fine – Kim)
- Applications for Lapsed Licensure Reviewed by the Licensing Committee (Roseman)
- Applications for Changes to Existing Limited Licensure Reviewed by the Board (Ali – Youssef)

Dr. Oh moved to approve the above listed applications for licensure.

Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 6-0 (unanimous).

Motions and Votes

In the **Velazquez** matter, Dr. Robinson moved to terminate the Probation Agreement.

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 6-0 (unanimous).

In the **Madera** matter, Dr. Robinson moved to issue the Order of Temporary Suspension, pursuant to 243 CMR 1.03(11)(b). The Board further voted to issue the Statement of Allegations and the Order of Reference to the Division of Administrative Law Appeals.

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 6-0 (unanimous).

In the **Riella** matter. Dr. Robinson moved to issue the Final Decision and Order, indefinitely suspending Dr. Riella's license to practice medicine, with an immediate stay of that suspension for ninety (90) days to allow for payment of a fine of \$2,500, and a plan, to be pre-approved by the Board, for completion of ten (10) hours of Board-approved Category 1 Continuing Medical Education credits, in addition to those required for licensure, in the area of patient medical record confidentiality and requirements of the Health Insurance Portability and Accountability Act (HIPAA). Upon fulfillment of these two requirements, the suspension will be lifted.
Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Oh – Aye
Dr. Bush – Aye
Mr. O'Donnell – Aye

The Chair voted Aye
Motion carried 5-0-1 (Dr. Nour recused).

In the **Turner** matter, Dr. Robinson moved to issue the Final Decision and Order, dismissing the Statement of Allegations.
Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Oh – Aye
Dr. Nour – Aye
Dr. Bush – Aye
Mr. O'Donnell – Aye

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

In the **Devarajan** matter, Dr. Robinson moved to find Dr. Devarajan in violation of his Voluntary Agreement for Practice Restriction, but take no disciplinary action, and to accept the Voluntary Agreement Not to Practice.
Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Oh – Aye
Dr. Nour – Aye

Dr. Bush – Aye
Mr. O'Donnell – Aye

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

Board Member Availability

The Board discussed their anticipated availability to attend the July 14, 2022, August 4, 2022 and September 8, 2022 Board Meetings.

Drs. Bush and Nour stated that they did not anticipate attending the July 14, 2022 Board meeting.

The Board members did not indicate any other scheduling conflicts that would prevent them from attending the aforementioned Board meetings.

Items Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Board Meeting:

Mr. Zachos presented to the Board members 31 pending limited license applications that were going to miss the start day for their residency programs if the Board did not vote to approve these applications today.

Mr. Zachos asked the Board members to vote to issue the 31 provisional limited licenses so that the applicants would not miss the start date of their residency programs.

Dr. Bush moved to issue the 31 provisional limited licenses.
Dr. Robinson seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Oh – Aye
Dr. Nour – Aye
Dr. Bush – Aye
Mr. O'Donnell – Aye

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

Mr. Zachos discussed issues with the remaining limited license applications in which the applicants were possibly going to miss the start date of their residency programs.

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

Dr. Oh moved to adjourn the Board meeting.

Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 6-0 (unanimous).

Meeting adjourned at 12:32 p.m.

Documents Considered in Public Sessions I and II:

- Motions and Votes
- Licensing Applications List
- Memorandum RE: Conference on Status of Monitoring Plan