

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

March 31, 2022

10:40 a.m.

Public Session I

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Vice Chair
Woody Giessmann LADC-I, CADC, CIP, AIS, Public Member
Deborah Levine, M.D., Physician Member
Holly Oh, M.D., Physician Member
Nawal Nour, M.D., M.P.H., Physician Member
Frank O'Donnell, Esq., Public Member

Member(s) absent:

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
Michael Sinacola, Licensing Director

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 10:40 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

Mr. O'Donnell – 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.

Introduction of New Board Member:

Attorney Frank O'Donnell introduced himself as the newly appointed Public Board Member to the Board of Registration in Medicine. Mr. O'Donnell provided a brief overview of his background including his professional activities.

Licensing:

Pursuant to the request by Michael Sinacola, Director of Licensing, the Board deferred its consideration of the Licensing applications until the Board convened in Public Session II.

Minutes:

The Board considered the Public Session Minutes of the March 10, 2022 Board meetings.

Dr. Oh moved to approve the Public Session Minutes of the March 10, 2022 Board meeting.
Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine – Aye

Dr. Oh - Aye

Dr. Nour - Abstain

Mr. O'Donnell – Abstain

The Chair voted Aye.

Motion carried 4-2-0 (Dr. Nour and Mr. O'Donnell abstained).

Dr. Robinson stated that the Board would meet as authorized pursuant to M.G.L.c.30A § 21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than professional competence, of individuals relevant to those individuals' petitions for termination of their probation agreement. The Board would also be reviewing Executive Session Minutes.

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

Dr. Oh moved to go into Executive Session.

Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine – Aye

Dr. Oh - Aye

Dr. Nour – Aye
Mr. O'Donnell – Aye

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

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

Public Session I ended at 10:45 a.m.

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

March 31, 2022

12:11 p.m.

Public Session II

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Vice Chair
Woody Giessmann LADC-I, CADC, CIP, AIS, Public Member
Deborah Levine, M.D., Physician Member
Holly Oh, M.D., Physician Member
Frank O'Donnell, Esq., Public Member

Member(s) absent:

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

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. Levine is recused from Beth Israel Lahey Health, Dr. Oh is recused from applications involving The Dimock Center. Mr. O'Donnell indicated that he was not recusing.

Michael Sinacola, Licensing Director presented the licensing data as of March 31, 2022.

Licensing Applications:

Mr. Sinacola noted that the Board had received lists of license applications reviewed by staff and by the licensing committee. Dr. Robinson asked for a motion to approve the following applications for licensure:

- Applications for Full Licensure (Abajian – Zia)
- Applications for Limited Licensure (Aicher – Zuo)

- Application for Temporary Faculty Licensure reviewed by the Licensing Committee (Vogelgsang)
- Application for Temporary Licensure Covering Physician reviewed by the Board (Cunha)
- Application for Full Licensure with Waiver reviewed by the Licensing Committee (Arshad)
- Application for Full Licensure with Waiver reviewed by the Licensing Committee (Vega Pizarro)
- Applications for Full Licensure reviewed by the Licensing Committee (Albion – Ward)
- Application for Limited Licensure Approved, Pursuant to Policy 2021-03, March 13, 2022 (Orlikowski)
- Application for Limited Licensure Approved, Pursuant to Policy 2021-03, March 17, 2022 (Wyatt)
- Application for Limited Licensure Approved, Pursuant to 2021-03, March 24, 2022 (McMoran)
- Application for Lapsed Licensure reviewed by the Licensing Committee (Arif)
- Application for Changes to Existing Limited Licensure reviewed by the Board (Leary – Vega Pizarro)
- Application for Changes to Limited Licensure Specialty or Subspecialty Programs reviewed by the Board (Usmani)

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

Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Oh – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motion carried 5-0 (unanimous).

Motions and Votes

In the **Byler** matter, Dr. Robinson moved to approve the Petition to Terminate the Probation Agreement.

Dr. Oh seconded the matter.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Oh – Aye
Mr. O'Donnell – Aye

The Chair voted Aye.
Motion carried 5-0 (unanimous).

In the **Howard** matter, Dr. Robinson moved to approve the Petition to Terminate Probation Agreement.
Dr. Oh seconded the motions.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Mr. O'Donnell – Aye

The Chair voted Aye.
Motion carried 5-0 (unanimous).

In the **Neagoe** matter, Dr. Robinson moved to approve the Petition to Terminate the Probation Agreement, effective as of April 4, 2022.
Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Mr. O'Donnell – Aye

The Chair voted Aye.
Motion carried 5-0 (unanimous).

In the **Fattore** matter, Dr. Robinson moved to find Dr. Fattore in violation of his Probation Agreement and deny the Petition to Terminate Probation Agreement. Dr. Robinson further moved to authorize issuance of an order lifting the stay of the suspension of his license unless Dr. Fattore tenders the resignation of his license, pursuant to 243 CMR 1.05(5), within 30 days.
.Dr. Levine seconded the motions.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye

Dr. Oh – Aye
Mr. O'Donnell – Aye

The Chair voted Aye.
Motions carried 5-0 (unanimous).

In the **Simmons** matter, Dr. Robinson moved to issue the Statement of Allegations and Order of Reference to the Division of Administrative Law Appeals.
Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Mr. O'Donnell – Aye

The Chair voted Aye.
Motions carried 5-0 (unanimous).

In the **Aslam** matter, Dr. Robinson moved to ratify the acceptance of the Voluntary Agreement Not to Practice.
Dr. Levine seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Mr. O'Donnell – Aye

The Chair voted Aye.
Motion carried 5-0 (unanimous).

In the **Wood** matter, Dr. Robinson moved to accept the Resignation of Dr. Wood's license to practice medicine, pursuant to 243 CMR 1.05(5)(a).
Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye
Dr. Levine - Aye
Dr. Oh – Aye
Mr. O'Donnell – Aye

The Chair voted Aye.
Motions carried 5-0 (unanimous).

In the **Cibley** matter, Dr. Robinson moved to accept the Resignation of Dr. Cibley's inchoate right to renew his license to practice medicine, pursuant to 243 CMR 1.05(5)(b).

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Mr. Giessmann – Aye

Dr. Levine - Aye

Dr. Oh – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.
Motions carried 5-0 (unanimous).

Update on Action Taken Pursuant to Policy 22-03: Policy on Preliminary Denial of License Application:

Ms. Berg reminded the Board that in January 2022 the Board adopted a policy that authorizes staff to take appropriate further steps following the Board's preliminary denial of a licensing application – specifically, staff are authorized to issue Orders to Show Cause and an Order of Reference to the Division of Administrative Law Appeals when applicants request a hearing and to issue an Order of Final Denial when they do not.

Ms. Berg stated that the purpose of this update was to ensure that there was a mechanism in place to keep the Board informed when Board staff has taken such action, pursuant to this Policy.

Ms. Berg provided the Board members with an overview of the status of licensing applicants who the Board has issued an Order of Preliminary Denial of their licensing application.

Update on Policy 20-05: Interim Policy on Emergency Temporary Licenses:

Mr. Zachos informed the Board that staff has put into place processes that would allow the Board of Registration in Medicine's Licensing Division to conduct follow up vetting of Emergency Temporary Licenses under this Policy for discipline issued in other jurisdictions.

Board Member Availability

The Board members discussed their anticipated availability to attend the April 14, 2022, May 5, 2022 and May 19, 2022 Board meetings.

Dr. Robinson indicated that would not be available for April 14, 2022 and May 5, 2022 Board meetings. In Dr. Robinson's place, Mr. Giessmann would be Acting Chair for both meetings.

All other Board members in attendance did not indicate any conflict that would prevent them from attending the above listed Board meetings.

Mr. Giessmann expressed his wish to recognize Attorney Paul Gitlin, form Board Chair, for his contributions and service to the Board of Registration in Medicine. Mr. Gitlin had recently passed away.

Dr. Robinson observed that Mr. Gitlin had served on the Board on two separate occasions, once as Board Chair and then as a Public Member.

Mr. Zachos expressed his wish to recognize the service and contributions of two former Executive Directors, Nancy Achin Audesse and Dr. Stancel Riley. Ms. Audesse and Dr. Riley have recently passed away.

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

Dr. Levine moved to adjourn the Board meeting.

Dr. Oh seconded the motion.

Motion carried 5-0 (unanimous).

Meeting adjourned at 12:25 p.m.

Documents Considered in Public Sessions I and II:

- Memorandum RE: Update on Action Taken Pursuant to Policy 22-03: Policy on Preliminary Denial of License Application
- Motions and Votes
- Licensing Applications List