

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

May 11, 2023

10:37 a.m.

Public Session I

Members Participating Remotely:

Holly Oh, M.D., Physician Member, Secretary
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public Member
John McGahan, Public Member
Sandeep Singh Jubbal, M.D., Physician Member

Member(s) absent:

Julian N. Robinson, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., Physician Member

Staff Present and Participating:

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

Holly Oh, M.D., Physician Member, Secretary, was Acting Chair during the May 11, 2023 Board meeting.

Dr. Oh called the meeting to order at 10:37 a.m.

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

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

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

Proposed Policy 2023-01: Policy on Data Repository Unit (DRU) Referrals of Certain Reports:

Vita P. Berg, General Counsel, presented the Proposed Policy 2023-01.

Ms. Berg explained to the Board members the role of the Data Repository Unit (DRU) within the Board of Registration in Medicine. Ms. Berg discussed that the purpose of the Proposed Policy was to expedite the referral of certain cases from the DRU to the Enforcement Division where the circumstances necessitated an immediate referral (e.g., a physician with an active license being criminally convicted). Additionally, the Proposed Policy would allow the DRU to defer action on certain cases where immediate action was not necessary (e.g., a physician with a lapsed license having an out-of-state disciplinary action.). In the latter case, the DRU would defer referral to the Enforcement Division until such time the physician seeks to renew their lapsed license.

Dr. Oh asked for a motion to approve the Proposed Policy 2023-01.

Dr. Bush moved to approve the Proposed Policy 2023-01 as presented by the General Counsel. Dr. Jubbal seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

Reappointment of Member to the Committee on Acupuncture (COA):

Eileen A. Prebensen, Senior Policy Counsel, informed the Board that Linda Robinson-Hidas, Lic.Ac. was up for reappointment as a member of the COA. It is the responsibility of the Board to appoint COA members.

Ms. Prebensen provided the Board members with an overview of Ms. Robinson-Hidas' role within the COA and her professional acupuncture background.

Ms. Prebensen extolled Ms. Robinson-Hidas' service to the COA and the broader acupuncture community. Accordingly, Ms. Prebensen asked the Board members to reappoint Ms. Robinson-Hidas to the COA.

Dr. Bush moved to reappoint Linda Robinson-Hidas to another three-year term as a member of the COA.

Mr. O'Donnell seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye

Mr. O'Donnell - Aye

Mr. McGahan – Aye

Dr. Jubbal - Aye

The Acting Chair voted Aye.

Motion carried 5-0 (unanimous).

Minutes:

The Board considered the Public Session Minutes of the April 27, 2023 Board meeting.

Dr. Bush moved to approve the Public Session Minutes of the April 27, 2023 Board meeting.

Mr. McGahan seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye

Mr. O'Donnell - Aye

Mr. McGahan – Aye

Dr. Jubbal - Aye

The Acting Chair voted Aye.

Motion carried 5-0 (unanimous).

Licensing:

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing data as of May 11, 2023.

Dr. Oh is recused from applications involving The Dimock Center and Cityblock Health, Dr. Bush is recused from applications involving Baystate Medical Center in Springfield and Dr. Jubbal is recused from applications involving UMass Memorial Medical Center.

Licensing Applications:

Dr. Oh asked for a motion to approve the applications for licensure that included licenses approved by the Executive Director (see attached at TAB A), Changes to Existing Limited Licenses (see attached at TAB B) and licenses approved by the Licensing Committee (see attached at TAB C).

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

Dr. Bush seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye

Mr. O'Donnell - Aye

Mr. McGahan – Aye

Dr. Jubbal - Aye

The Acting Chair voted Aye.

Motion carried 5-0 (unanimous).

Dr. Oh stated that the Board will 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' applications for licensure or petitions for termination or amendment of their probation agreement. Additionally, the 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 petitions for termination of probation and will discuss the reputation, character, physical condition or mental health, rather than professional competence 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 will also be reviewing Executive Session Minutes.

Following the Executive Session, the Board will meet in closed Adjudicatory Session, and then in closed Mass. General Law, chapter 112, section 65C session. The Board will reconvene in Public Session following the conclusion of the 65C Session.

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

Dr. Bush moved to go into Executive Session.

Mr. McGahan seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

Dr. Oh 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
Wakefield, Massachusetts 01880
(Teleconference)
May 11, 2023
11:26 a.m.
Public Session II

Members Participating Remotely:

Holly Oh, M.D., Physician Member, Secretary
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public Member
John McGahan, Public Member
Sandeep Singh Jubbal, M.D., Physician Member

Member(s) absent:

Julian N. Robinson, M.D., Physician Member, Chair
Nawal Nour, M.D., M.P.H., 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, 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.

Motions and Votes

In the **Blake** matter, Dr. Oh moved to allow the Petition to Terminate the Probation Agreement.
Dr. Bush seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

In the **Kinch** matter, Dr. Oh moved to allow the Petition to Terminate the Probation Agreement.
Dr. Bush seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

In the **Schwartz** matter, Dr. Oh moved to allow the Request to Withdraw the Full License Application.
Dr. Bush seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

In the **Ameri** matter, Dr. Oh moved to issue the Final Decision and Order, reprimanding Dr. Ameri's license to practice medicine.
Dr. Bush seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

In the **Derkevorkian** matter, Dr. Oh moved to ratify the acceptance of the Voluntary Agreement Not to Practice.
Mr. O'Donnell seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

Board Member Availability

The Board discussed their anticipated availability to attend the May 25, 2023, June 15, 2023 and June 29, 2023 Board Meetings.

Mr. McGahan indicated that he did not anticipate attending the May 25, 2023 and June 29, 2023 Board meetings.

All members present indicated that they anticipated being available to attend the June 15, 2023 Board meeting.

There were no other scheduling conflicts indicated by the attending Board members.

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

Mr. O'Donnell moved to adjourn the meeting.

Dr. Bush seconded the motion.

Dr. Oh called the Roll:

Dr. Bush – Aye
Mr. O'Donnell - Aye
Mr. McGahan – Aye
Dr. Jubbal - Aye

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

The Board meeting adjourned at 11:29 a.m.

Documents Considered in Public Sessions I and II:

- Public Session Minutes of the April 27, 2023 Board meetings
- Proposed Policy 2023-01 Policy on DRU Referrals of Certain Reports
- Memorandum RE: Reappointment of Member to the Committee on Acupuncture

- Motions and Votes
- Licensing Applications Lists (see attached at TABs A-C)