

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

May 25, 2023

10:30 a.m.

Public Session I

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Chair

Holly Oh, M.D., Physician Member, Secretary

Nawal Nour, M.D., M.P.H., Physician Member

Booker T. Bush, M.D., Physician Member

Frank O'Donnell, Esq., Public Member

Sandeep Singh Jubbal, M.D., Physician Member

Member(s) absent:

John McGahan, Public Member

Staff Present and Participating:

George Zachos, Executive Director

Vita P. Berg, General Counsel

Susan Carson, Director of Operations

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.

Dr. Robinson called the meeting to order at 10:30 a.m.

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

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

Dr. Jubbal - 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.

Federation of State Medical Boards (FSMB) Annual Conference:

George Abraham, M.D., former Chair of the Board, and Frank O'Donnell, Esq., Public Member, provided the Board members with an overview of matters considered (e.g., the opioid epidemic, mental health issues, etc.) at this year's FSMB Conference.

Mr. O'Donnell stated his appreciation for the experience of having attended this year's FSMB Annual Conference. Mr. O'Donnell indicated that Dr. Sanjay Gupta was one of the speakers at this Conference. Mr. O'Donnell also praised George Zachos, Executive Director, and Michael Sinicola, Director of Licensing, for their work on the Massachusetts' delegation's presentation about the new Online Licensing Project.

Mr. Zachos congratulated Dr. Abraham on his election as a Board Member to the FSMB.

Revisions to Physician Health Services (PHS) Quarterly Reports and Probation Agreements:

Robert E. Harvey, Physician Health and Compliance Manager, informed the Board that Board staff and Physician Health Services have been collaborating to develop revised quarterly reports that are streamlined but still provide the Board with the necessary information.

Mr. Harvey discussed the elimination of the self-attestation page to the quarterly report and provided a list of information that would remain included in the report.

Mr. Harvey informed the Board that if they approved the revisions to the PHS Quarterly Reports that the language contained in the Board's Probation Agreements would also have to be revised. Any revisions to the Probation Agreements would be presented to the Board at a future Board meeting.

Dr. Robinson asked for a motion to approve the revisions to the PHS Quarterly Reports.

Dr. Oh moved to approve the revisions to the PHS Quarterly reports as proposed by Mr. Harvey. Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye
Dr. Jubbal - Aye

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

Introduction of the New Physician Health Services' (PHS) Director:

Mark Albanese, M.D., Medical Director of PHS, and Bara Litman-Pike, Ph.D., Executive Director of PHS, were present via teleconference.

Drs. Albanese and Litman-Pike introduced themselves to the Board members and provided an overview of their individual professional backgrounds. Dr. Albanese discussed his wish to work collaboratively with BORIM staff on joint programming initiatives.

Janet Osterman, M.D., Associate Medical Director of PHS, was present via teleconference and was introduced to the Board members by Dr. Albanese. Dr. Osterman provided an overview of her professional background to the Board.

Paul Simone, Ph.D. was present via teleconference and was introduced to the Board by Dr. Albanese, who explained that Dr. Simeone would be transitioning into the role of Executive Director of PHS. Dr. Simeone provided the Board members with an overview of his professional background.

Dr. Albanese informed the Board that Dr. Litman-Pike would be leaving PHS on May 31, 2023. Dr. Litman-Pike discussed her meetings with BORIM staff over the years and expressed her appreciation for BORIM's commitment to public health and safety.

Dr. Simeone presented a Power Point presentation providing an overview of PHS' work, mission, organizational structure and supporting donors.

Mr. Zachos thanked Ms. Litman-Pike for her service and wished her well.

Discussion FY24 Budget:

Mr. Zachos provided the Board members with a budget report detailing the projected FY24 Budget.

Susan Carson, Director of Operations, was present via teleconference, to answer the Board's questions.

Appointment of Preliminary Screening Committee:

Eileen A. Prebensen, Senior Policy Counsel, informed the Board that there were two vacancies on the Committee on Acupuncture (COA). One such vacancy is for an Acupuncture Member and the other is for a Public Member. Currently, there are three applicants for the Acupuncture Member position.

Ms. Prebensen then discussed the creation of a Preliminary Screening Committee to select and recommend potential candidates for the vacancies on the COA and provided an overview of the process for screening and recommending potential candidates to the Board for possible appointment to the COA.

Pursuant to Policy 2015-01, Ms. Prebensen recommended the following individuals for appointment to the Preliminary Screening Committee:

- (1) **Weidong Lu**, Chair of the COA;
- (2) **Nawal Nour, MD**, Licensed Physician Member of the COA;
- (3) **George Zachos**, Executive Director of the Board (because there is no public member of the COA at this time);
- (4) **Frank O'Donnell, Esq.**, as a Public Member of the Board; and
- (5) **Michael Sinacola**, Director of Licensing.

Dr. Robinson asked for a motion to approve the proposed individuals for appointment to the Preliminary Screening Committee.

Dr. Oh moved to approve the appointment of the above listed individuals to serve on the Preliminary Screening Committee.

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

Dr. Jubbal - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Minutes:

The Board considered the Public Session Minutes of the May 11, 2023 Board meeting.

Dr. Bush moved to approve the Public Session Minutes of the May 11, 2023 Board meeting.

Dr. Jubbal seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

Dr. Jubbal - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Licensing:

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing data as of May 25, 2023.

Dr. Robinson is recused from license applications from Newton Wellesley Hospital, Dr. Oh is recused from applications involving The Dimock Center and Cityblock Health, Dr. Nour is recused from Brigham and Women's Hospital and Dana Farber, Dr. Bush is recused from applications involving Baystate Medical Center Springfield and Dr. Jubbal is recused from applications involving UMass Memorial Medical Center.

Licensing Applications:

Dr. Robinson 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.

Mr. O'Donnell seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

Dr. Jubbal - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

Dr. Robinson stated that the Board will meet in Executive Session to review 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. Robinson asked for a motion to go into Executive Session.

Dr. Oh moved to go into Executive Session.

Mr. O'Donnell seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

Dr. Jubbal - 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 11:14 a.m.

BOARD OF REGISTRATION IN MEDICINE
178 Albion Street, Suite 330
Wakefield, Massachusetts 01880
(Teleconference)
May 25, 2023
11:47 a.m.
Public Session II

Members Participating Remotely:

Julian N. Robinson, M.D., Physician Member, Chair
Holly Oh, M.D., Physician Member, Secretary
Nawal Nour, M.D., M.P.H., Physician Member
Booker T. Bush, M.D., Physician Member
Frank O'Donnell, Esq., Public Member
Sandeep Singh Jubbal, M.D., Physician Member

Member(s) absent:

John McGahan, 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.

Motions and Votes

In the **Goldberg** matter, Dr. Robinson moved to accept the Resignation, pursuant to 243 CMR 1.05(5)(a).

Mr. O'Donnell seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour - Aye

Dr. Bush – Aye

Mr. O'Donnell - Aye

Dr. Jubbal - Aye

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

In the **Dowd** matter, Dr. Robinson moved to terminate the Voluntary Agreement Not to Practice. Dr. Robinson further moved to issue the Final Decision and Order, indefinitely suspending Dr. Dowd's inchoate right to renew his license to practice medicine.
Dr. Oh seconded the motions.

Dr. Robinson called the Roll:

Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye
Mr. O'Donnell - Aye
Dr. Jubbal - Aye

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

In the **Doerr** matter, Dr. Robinson moved to issue the Statement of Allegations and Order to Use Pseudonyms and Impound Medical Records, and approve the Consent Order, reprimanding and imposing Continuing Medical Education requirements on his license to practice medicine..
Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye
Mr. O'Donnell - Aye
Dr. Jubbal - Aye

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

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

Dr. Robinson called the Roll:

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

Mr. O'Donnell - Aye
Dr. Jubbal - Aye

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

In the **Mortele** matter, Dr. Oh 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:

Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye
Mr. O'Donnell - Aye
Dr. Jubbal - Aye

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

Board Member Availability

The Board discussed their anticipated availability to attend the June 15, 2023, June 29, 2023 and July 13, 2023 Board Meetings.

Mr. O'Donnell stated that he did not anticipate attending the June 29, 2023 Board meeting.

Dr. Bush stated that he may not be available to attend the July 13, 2023 Board meeting.

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

Dr. Oh moved to adjourn the meeting.

Mr. O'Donnell seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye
Dr. Nour - Aye
Dr. Bush – Aye
Mr. O'Donnell - Aye
Dr. Jubbal - Aye

The Chair voted Aye.

Motion carried 6-0 (unanimous).

The Board meeting adjourned at 11:52 a.m.

Documents Considered in Public Sessions I and II:

- Public Session Minutes of the April 27, 2023 Board meetings
- One Page Presentation RE: Federation of State Medical Boards' Annual Conference
- Memorandum RE: Revisions to PHS Quarterly Reports to the Board of Registration in Medicine and Probation Agreements
- Memorandum RE: Appointment of Preliminary Screening Committee
- FY24 Budget
- Power Point Presentation RE: Physician Health Services
- Motions and Votes
- Licensing Applications Lists (see attached at TABs A-C)