

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

September 12, 2024

10: 32 a.m.

Public Session I

Members Participating Remotely:

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

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

Marsha Johnson, Stenographer, was present to record the Board meeting.

Dr. Bush called the meeting to order at 10:31 a.m.

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

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

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

Reappointment of Weidong Lu to the Committee on Acupuncture (COA):

Eileen A. Prebensen, Senior Policy Counsel, provided the Board members with a brief overview of Mr. Lu's service on the COA, stating that he has served as the Chair of the COA since 2004. She also provided a brief overview of his professional background and activities.

In conclusion, Ms. Prebensen requested that the Board members vote to approve Mr. Lu's reappointment to the COA.

Dr. Bush asked for a motion to reappoint Mr. Lu to the COA.

Dr. Cheung moved to reappoint Mr. Lu to the COA.
Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Mr. McGahan – Aye
Dr. Cheung – Aye
Dr. Qu – Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 7-0 (unanimous).

Minutes

The Board considered the Public Session Minutes of the August 15, 2024 Board meeting.

Mr. O'Donnell moved to approve the Public Session Minutes of the August 15, 2024 Board meeting.
Dr. Qu seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Mr. McGahan – Aye
Dr. Cheung – Aye
Dr. Qu – Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 7-0 (unanimous).

Licensing

The Board members stated their recusal information. Dr. Bush is recused from applications involving Baystate Medical Center Springfield, Dr. Jubbal is recused from applications involving UMass Memorial Medical Center, Mr. McGahan is recused from applications involving the Gavin Foundation, Dr. Qu is recused from applications involving Massachusetts General Hospital, Dr. Cheung is recused from Baystate Medical Center Springfield and Dr. Lee-Parritz is recused from Boston Medical Center.

Michael Sinacola, Director of Licensing, provided the Board members with an overview of the licensing data as of August 15, 2024.

Licensing Applications

Dr. Bush asked for a motion to approve the applications for licensure (see attached at TAB A).

Mr. O'Donnell moved to approve the applications presented for licensure.

Dr. Cheung seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

Dr. Bush stated that 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 two Petitions to Terminate Probation Agreement and a Petition to Amend Probation Agreement. In so doing, the Board will discuss the reputation, character, physical condition or mental health, rather than professional competence, of applicants or petitioners, or the discipline or dismissal of, or complaints or charges against applicants or petitioners, 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.

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

Mr. O'Donnell moved to go into Executive Session.

Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

Dr. Bush 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)

September 12, 2024

11:27 a.m.

Public Session II

Members Participating Remotely:

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

Staff Present and Participating:

George Zachos, Executive Director
Vita P. Berg, General Counsel
Michael Sinacola, Director of Licensing
Eileen A. Prebensen, Senior Policy 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.

Motions and Votes

In the **Nagy** matter, Mr. McGahan moved to approve the Amended Consent Order to correct the scriveners' error, thereby removing docket number 22-547 from Adjudicatory Case number 2024-014, Nunc Pro Tunc to March 28, 2024.

Dr. Qu seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

In the **Strehle** matter, Mr. O'Donnell moved to issue the Final Decision and Order dismissing the Statement of Allegations and exonerating Dr. Strehle.

Dr. Cheung seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

In the **Bentley** matter, Dr. Qu moved to issue the Statement of Allegations and Order of Reference to the Division of Administrative Law Appeals.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

In the **Ruberg** matter, Dr. Bush moved to issue the Statement of Allegations and Order of Reference to the Division of Administrative Law Appeals.

Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Recused

The Chair voted Aye.
Motion carried 6-0-1 (Dr. Lee-Parritz recused).

In the **Kauff** matter, Mr. O'Donnell moved, after consideration of the Victim Impact Statement in accordance with Mass General Law chapter 112, section 5, to terminate the Voluntary Agreement Not to Practice and further to accept the Resignation, pursuant to 243 CMR 1.05(5)(a).

Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

In the **Och** matter, Mr. O'Donnell moved to deny the Request for a Stay and further to issue the Statement of Allegations and Order of Reference to the Division of Administrative Law Appeals
Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

In the **Sheerer** matter, the first vote was immediately rescinded. See below.

In the **Fournier** matter, Mr. O'Donnell moved to accept the Resignation, pursuant to 243 CMR 1.05(5)(a).

Mr. McGahan seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Mr. McGahan – Aye
Dr. Cheung – Aye
Dr. Qu – Aye
Dr. Lee-Parritz – Aye

The Chair voted Aye.
Motion carried 7-0 (unanimous).

The Board rescinded and revoted the **Sheerer** matter.

In the **Sheerer** matter, Dr. Qu moved to terminate the Voluntary Agreement Not to Practice and accept the Resignation, pursuant to 243 CMR 1.05(5)(a).
Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Mr. McGahan – Aye
Dr. Cheung – Aye
Dr. Qu – Aye
Dr. Lee-Parritz – Aye

The Chair voted Aye.
Motion carried 7-0 (unanimous).

Executive Director's Update

George Zachos, Executive Director, and Michael Sinacola, Director of Licensing, were present via teleconference.

Mr. Zachos informed the Board that Mr. Sinacola would be discussing the ramifications of the abrupt closure of Carney Hospital in Dorchester, MA and that he would follow-up on the discussion afterward.

Mr. Sinacola stated that limited licensees were left without a residency program in the wake of the closure of Carney Hospital. He discussed the ability of BORIM to act quickly to help the residents, via Policy 2024-03, "Expedited Processing of Change of Program Requests Arising

from a Closure or a Discontinuance of a Graduate Medical Program.” The Board was able to transfer all the limited licensees to other healthcare facilities (St. Elizabeth’s Hospital and Lemuel Shattuck Hospital) to complete their residency programs. All of this was accomplished in the course of one (holiday) weekend.

Mr. Zachos, who is a member of the Steward Hospitals Incident Command team, informed the Board that PHS suggested that he send out communications to limited licensees offering them information on requesting change of residency programs in the wake of a healthcare facility closure.

Responsive to Dr. Qu’s inquiry, Mr. Sinacola stated that there were international students affected by the closure of Carney Hospital, but that BORIM was able to expedite the processing of their change of program applications.

Dr. Cheung suggested to Mr. Zachos that BORIM may wish to contact the affected limited licensees and get their feedback to help guide BORIM in the future in addressing any possible future healthcare facility closures.

Mr. Zachos indicated he agreed with Dr. Cheung’s suggestion.

On a different topic, Mr. Zachos informed the Board that BORIM would send out an email blast to active full licensees reminding them to check and update their physician profiles if necessary. This reminder will include instructions on how to update their physician profiles.

Announcement:

Dr. Bush announced to the other Board members that this would be Mr. McGahan’s last Board meeting and expressed his gratitude for Mr. McGahan’s service to the Board.

Mr. Zachos expressed his gratitude, on behalf of BORIM staff, for Mr. McGahan’s service to BORIM. In so doing, Mr. Zachos highlighted Mr. McGahan’s contributions to patient safety and his impact on recovery in Massachusetts through his work at the Gavin Foundation.

Mr. McGahan thanked Mr. Zachos, Mr. Sinacola and BORIM staff for their efforts in providing a comprehensive understanding of the issues that came before him.

Mr. O’Donnell expressed his gratitude for Mr. McGahan’s work as a member of the Licensing Committee.

Board Member Availability:

The Board considered their anticipated availability to attend the September 26, 2024, October 10, 2024 and October 24, 2024 Board meetings.

Dr. Qu indicated that he did not anticipate attending the September 26, 2024 Board meeting and Dr. Cheung indicated that she may have a scheduling conflict on this date.

Drs. Cheung and Qu indicated that they did not anticipate attending the October 10, 2024 Board meeting. Mr. O'Donnell stated that he would get back to BORIM staff as to whether he is available on this date.

Dr. Lee-Parritz indicated that she did not anticipate attending the October 24, 2024 Board meeting.

The Board members did not indicate any other scheduling conflicts.

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

Mr. McGahan moved to adjourn the meeting.

Dr. Cheung seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Mr. McGahan – Aye

Dr. Cheung – Aye

Dr. Qu – Aye

Dr. Lee-Parritz – Aye

The Chair voted Aye.

Motion carried 7-0 (unanimous).

The Board meeting adjourned at 11:48 a.m.

Documents Considered in Public Sessions I and II:

- Memorandum RE: Reappointment of Weidong Lu to the Committee on Acupuncture (COA)
- Public Session Minutes of the August 15, 2024 Board Meeting
- Licensing Applications Lists (see attached at TAB A)
- Motions and Votes