

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

September 26, 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
Aviva Lee-Parritz, M.D., Physician Member

Members absent:

Yvonne Y. Cheung, MD, MPH, MBA, Physician Member
Jason Qu, 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
Roisin Cahill, Assistant General 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 10:33 a.m.

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

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (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.

Draft CY 2025 Board of Registration in Medicine Calendar:

George Zachos, Executive Director, presented the draft CY 2025 Board of Registration in Medicine (BORIM) Calendar to the Board members for their approval.

Mr. Zachos informed the Board that this Calendar follows the same rhythm as previous years' Calendars and highlighted the frequency of the Board meetings by month. He also informed the Board that upon their approval of this Calendar BORIM staff can begin to schedule other meetings.

Dr. Bush asked for a motion to approve the draft CY 2025 BORIM Calendar.

Mr. O'Donnell moved to approve the draft CY 2025 BORIM Calendar.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell – Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Proposed Extension of Policy 23-04: Pilot Policy on Board Sponsorship for a Fifth Attempt at USMLE Step 3:

Eileen A. Prebensen, Senior Policy Counsel, provided the Board with an overview of their previous consideration and approval of Policy 23-04. She discussed the exception that this policy provides; it allows a potential applicant to make a 5th attempt at the USMLE exam if BORIM sponsors the licensee. Ms. Prebensen provided an update on two applicants, applying under this policy.

Ms. Prebensen stated to the Board that they could vote to extend this Pilot Policy for another year or make it permanent.

Dr. Lee-Parritz inquired as to whether there was any data supporting that a 5th attempt has proven to be beneficial to applicants under this Policy.

Ms. Prebensen informed Dr. Lee-Parritz that the fifth attempt exception has only existed for a few years.

Mr. Zachos stated that BORIM staff can look at the data that is currently on file and that he can inquire of the Federation of State Medical Boards (FSMB) as to whether they have data regarding applicants who have taken the USMLE on a fifth attempt.

Ms. Berg stated that she can resend to the Board last year's memo on this subject. Additionally, Ms. Berg stated that this Policy may benefit those individuals who are experiencing personal struggles or whose country of origin may be a source of issues for the individual.

Responsive to Dr. Bush's inquiry, Michael Sinacola, Director of Licensing, stated that there isn't data available to determine the success rate of applicants taking the USMLE on a fifth attempt and that the sample size that it is available to BORIM for review is not a statistically significant sample size.

Mr. O'Donnell moved to extend Policy 23-04 for another year.
Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Request for Implicit Bias CME Credit for "Disability Component Care":

Ms. Prebensen that Mr. Joseph Mando, Director of Health Equity for the Community Care Cooperative in Boston, has submitted this Request for the Board's consideration and possible approval. She then gave a brief background of the development of this course.

Ms. Prebensen informed the Board that this Request was seeking one Continuing Medical Education (CME) credit in either Implicit Bias training or Risk Management study.

Mr. O'Donnell moved to approve the Request for one CME Credit for "Disability Component Care – Fundamentals for Healthcare Providers" in either Implicit Bias training or Risk Management study.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal - Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Revision of Policy 2024-01: Modification of Requirements for Temporary Appointments or Privileges in Exigent Circumstances:

Vita P. Berg, General Counsel, provided an overview of the current Policy 2024-01 which grants facilities in exigent circumstances flexibility in meeting credentialing requirements for physicians transitioning from one facility to another, or remaining at a facility under new ownership. The proposed revision extends the time for completing the credentialing from 120 days to 180 days.

Dr. Jubbal moved to approve the proposed revisions to Policy 2024-01.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Mantilla, Jose

The Board considered the Request for Waiver of the ECFMG Requirement for International Graduate Education and Initial Limited License Application.

Roisin Cahill, Assistant General Counsel, was present via teleconference.

Dr. Mantilla was present via teleconference.

Ms. Cahill provided the Board members with an overview of Dr. Mantilla's current certification and exam history. She informed the Board that Dr. Mantilla was seeking licensure for a gastroenterology residency at Boston Children's Hospital.

Dr. Mantilla addressed the Board and stated the residency program he was seeking participate in was for 25 days and that he would be heavily supervised.

In the **Mantilla** matter, Mr. O'Donnell moved to approve the Request for Waiver of the ECFMG Requirement for International Graduate Education and the Initial Limited License Application.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.
Motion carried 4-0 (unanimous).

Minutes

The Board considered the Public Session Minutes of the September 4, 2024 and September 12, 2024 Board meetings.

Dr. Lee-Parritz moved to approve the Public Session Minutes of the September 4, 2024 and September 12, 2024 Board meetings.
Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 4-0 (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, 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 September 26, 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. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 4-0 (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 a Petition to Amend a Probation Agreement and review two licensees who have each entered into a Probation Agreement and determine whether they are in compliance with their respective Probation Agreements. The Board will also consider a full license application. 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.

Dr. Lee-Parritz moved to go into Executive Session.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

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

Public Session I ended at 10:55 a.m.

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

September 26, 2024

12:18 p.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
Aviva Lee-Parritz, M.D., Physician Member

Members absent:

Yvonne Y. Cheung, MD, MPH, MBA, Physician Member
Jason Qu, 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

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 **Russo** matter, Dr. Jubbal moved to find Dr. Russo in violation of her Probation Agreement and lift the stay of suspension of her license to practice medicine.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Altman** matter, Dr. Jubbal moved to docket a new complaint against Dr. Altman as to new information that Dr. Altman has violated board statutes and regulations

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Altman** matter, Dr. Jubbal moved to lift the stay on the suspension of Dr. Altman's license pursuant to paragraph I.a.iii of the Probation Agreement.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Zamora-Quezada** matter, Dr. Jubbal moved to terminate Dr. Zamora-Quezada's Summary Suspension. Dr. Jubbal further moved to issue the Final Decision and Order revoking Dr. Zamora-Quezada's inchoate right to renew his license to practice medicine.

Mr. O'Donnell seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

In the **Choudhry** matter, Dr. Jubbal moved to ratify the acceptance of the Voluntary Agreement Not to Practice.

Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz - Aye

The Chair voted Aye.
Motion carried 4-0 (unanimous).

In the **Nguyen** matter, Mr. O'Donnell moved to issue the Statement of Allegations and Order of Reference to the Division of Administrative Law Appeals.
Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye
Dr. Jubbal – Aye
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 4-0 (unanimous).

In the **Starer** matter, Dr. Lee-Parritz 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
Dr. Lee-Parritz - Aye
The Chair voted Aye.
Motion carried 4-0 (unanimous).

In the **Schapiro** matter, Mr. O'Donnell moved to issue the Statement of Allegations, Order to Use Pseudonyms and Impound Identities and Medical Records, and Order of Reference to the Division of Administrative Law Appeals.
Dr. Lee-Parritz seconded the motion.

Dr. Bush called the Roll:

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

The Chair voted Aye.
Motion carried 4-0 (unanimous).

In the **Vytvytska-Dienhart** matter, Mr. O'Donnell moved to ratify the acceptance of the Voluntary Agreement Not to Practice.
Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

Board Member Availability:

The Board considered their anticipated availability to attend the October 10, 2024, October 24, 2024 and November 7, 2024 Board meetings.

All members present indicated that they would attend the Oct. 10, 2024.

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. O'Donnell moved to adjourn the meeting.

Dr. Jubbal seconded the motion.

Dr. Bush called the Roll:

Mr. O'Donnell - Aye

Dr. Jubbal – Aye

Dr. Lee-Parritz – Aye

The Chair voted Aye.

Motion carried 4-0 (unanimous).

The Board meeting adjourned at 12:25 p.m.

Documents Considered in Public Sessions I and II:

- Draft CY 2025 Board of Registration in Medicine Calendar
- Memorandum RE: Proposed Extension of Policy 23-04: Pilot Policy on Board Sponsorship for a Fifth Attempt at USMLE Step 3
- Memorandum RE: Request for Implicit Bias CME Credit for “Disability Competency Care”
- Memorandum RE: Revision of Policy 2024-01: Modification of Requirements for Temporary Appointments or Privileges in Exigent Circumstances
- Memorandum RE: Jose Mantilla, M.D. - Request for Waiver of the ECFMG Requirement for International Graduate Education and Initial Limited License Application
- Public Session Minutes of the September 4, 2024 and September 12, 2024 Board Meetings
- Licensing Applications Lists (see attached at TAB A)
- Motions and Votes