

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

September 8, 2022

10:32 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

Member(s) absent:

Woody Giessmann LADC-I, CADC, CIP, AIS, Public Member, Vice Chair

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.

Dr. Robinson called the meeting to order at 10:39 a.m.

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

Mr. O'Donnell – Aye

Dr. Nour-Aye

Dr. Oh- Aye

Dr. Bush – Aye

The Chair voted Aye.

Motion carried 5-0 (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.

Quarterly Federation of State Medical Boards Update on United States Medical Licensing Examinations (USMLE):

George Zachos, Executive Director, informed that Board that the USMLE Program limits the total number (four (4) attempts) of times an examinee can take any USMLE Step. However, an examinee may be allowed one more attempt to take a USMLE Step, if a state board of medicine requests the exception.

Mr. Zachos stated that staff will develop a business process for handling requests for an exception and will bring a draft of the process to the Board at a future meeting.

Chaudhri, Yashwant

The Board considered the Request for Reconsideration of Sanction.

Robert E. Harvey, Physician Health and Compliance Manager, stated that Dr. Chaudhri defaulted at the Division of Administrative Law Appeals (DALA) as he did not respond to DALA while his case was pending there. However, the Board had previously expressed an interest in reconsidering the matter of sanction if Dr. Chaudhri submitted a request for such.

Dr. Robinson asked for a motion in the **Chaudhri** matter.

In the Chaudhri matter, Mr. O'Donnell moved to allow the Request for Reconsideration of Sanction contingent upon Dr. Chaudhri's entry into a Consent Order with a Reprimand as a sanction. The Consent Order must be executed within thirty (30) days.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motion carried 5-0 (unanimous).

Riella, Leonardo

The Board considered the Request to Terminate Suspension.

Vita P. Berg, General Counsel, provided an overview of the circumstances that served as the basis for the Board's consideration of this matter. Such circumstances included Dr. Riella's completion of requirements in the Final Decision and Order, including payment of a fine and completion of continuing medical education.

Dr. Robinson asked for a motion in the **Riella** matter.

In the **Riella** matter, Dr. Bush moved to terminate the suspension of Dr. Riella's 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

The Chair voted Aye.

Motions carried 5-0 (unanimous).

Licensing:

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

Michael Sinacola, Licensing Director presented the licensing data as of September 8, 2022.

Licensing Applications:

Dr. Robinson asked for a motion to approve the following applications for licensure:

- Applications for Full Licensure (Alvarado – Zollman)
- Applications for Temporary Faculty Licensure Reviewed by the Licensing Committee (Kotek – Rosenberg)
- Applications for Full Licensure Approved by the Executive Director on August 17, 2022 (Ababneh – Zhao)

- Applications for Full Licensure Approved by the Executive Director on August 31, 2022 (Agboola – Zia)
- Applications for Full Licensure with Waiver Reviewed by the Licensing Committee (Agbisit – Raduan)
- Applications for Full Licensure Reviewed by the Licensing Committee (Al-Ani – Zdrnja)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 3, 2022 (Abbott – Wilson)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 10, 2022 (Ababneh – Yukselen)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 17, 2022 (Abrams – Yune)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 24, 2022 (Aboueisha – Wendeu)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on June 30, 2022 (Abumoawad – Zhu)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on July 8, 2022 (Bangiolo – Yang)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on July 22, 2022 (Almusailim - Villa Reyes)
- Application for Limited Licensure Approved Pursuant to Policy 2021-03 on August 5, 2022 (Elhouderi)
- Application for Limited Licensure Approved Pursuant to Policy 2021-03 on August 12, 2022 (Nahreini)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on August 19, 2022 (Jefferson – Zaniewski)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on August 22, 2022 (Donoghue – Fischer)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on August 31, 2022 (Aslan – Venkatachalam)
- Applications for Lapsed Licensure Reviewed by the Licensing Committee (Brown – Migliori)
- Applications for Changes to Existing Limited Licensure Reviewed by the Board (Gilad – Hao)
- Applications for Limited Licensure (Enriquez – Khan)
- Applications for Limited Licensure with Waiver Reviewed by the Licensing Committee (Genovese – Wolford)
- Applications for Limited Licensure Reviewed by the Licensing Committee (Kaya - Soriano)

- Applications for Limited Licensure Approved by the Executive Director on August 17, 2022 (Choudry – Reyes)
- Applications for Limited Licensure Approved by the Executive Director on August 31, 2022 (Aslan – Venkatachalam)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on May 6, 2022 (Achen – Zhou)
- Applications for Limited Licensure Approved Pursuant to Policy 2021-03 on May 13, 2022 (Abdalla – Zhang)
- Applications for Limited Licensure Pursuant to Policy 2021-03 on May 20, 2022 (Ahmed – Zhong)
- Applications for Limited Licensure Pursuant to Policy 2021-03 on May 27, 2022 (Abdul – Ziadkhanpour)

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

Dr. Nour seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 5-0 (unanimous).

Minutes:

The Board considered the Public Session Minutes of the August 4, 2022 Board meetings.

Dr. Bush moved to approve the Public Session Minutes of the August 4, 2022 Board meeting.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motions carried 5-0 (unanimous).

Dr. Robinson stated that the Board would meet in Executive Session 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 an individual. Specifically, the Board would discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of individuals relevant to their petitions for licensure and their petitions for modification of their probation agreement. The Board would also be reviewing Executive Session Minutes.

Following the Executive Session, the Board would meet in closed Adjudicatory Session, and then closed Mass. General Law, chapter 112, section 65C. The Board would 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.

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 5-0 (unanimous).

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

Public Session I ended at 10:41 a.m.

BOARD OF REGISTRATION IN MEDICINE

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

(Teleconference)

September 8, 2022

12:02 p.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

Member(s) absent:

Woody Giessmann LADC-I, CADC, CIP, AIS, Public Member, Vice Chair

Staff Present and Participating:

George Zachos, Executive Director

Vita P. Berg, General Counsel

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, present to record the Board meeting.

Motions and Votes

In the **Cimo** matter, Dr. Robinson moved to issue an order of Preliminary Denial of the Full License Application on the grounds that the criminal convictions and non-compliance with permitting and licensing laws in New York constitute acts which, were they engaged in by a licensee, would violate General Law chapter 112, section 5 and 243 CMR 1.03(5).

Dr. Oh seconded the motions.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye.

Motions carried 5-0 (unanimous).

In the **Robinson** matter, Dr. Robinson moved to grant the Petition to Amend Probation Agreement.

Dr. Bush seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motions carried 5-0 (unanimous).

In the **Mitton** matter, Dr. Robinson moved to adopt the findings of fact and conclusions of law in the recommended decision. Dr. Oh seconded the motion. Dr. Robinson called the roll.

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motions carried 5-0 (unanimous).

In the **Mitton** matter, Dr. Robinson further moved that; after consideration of the parties' presentation on sanction and the victim impact statement, to issue the Final Decision and Order revoking Dr. Mitton's license to practice, pursuant to 243 CMR 1.05(3)(b), with the proviso that Dr. Mitton may petition the Board for reinstatement of his license to practice medicine, three (3) years from the issuance of the Final Decision and Order, conditioned upon his entry into a Probation Agreement requiring entry into a Behavioral Health Monitoring Contract with Physician Health Services, a Board approved practice plan and any other conditions deemed appropriate by the Board. Additionally, Dr. Robinson moved to terminate the Voluntary Agreement Not to Practice.

Dr. Bush seconded the motions.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

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

In the **Rosenthal** matter, Dr. Robinson moved to issue the Final Decision and Order, approving the submitted Continuing Medical Education as satisfying the requirement set forth in the stipulation, and dismissing the Statement of Allegations, dated June 17, 2021.
Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

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

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

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

Dr. Robinson called the Roll:

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

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

In the **Higgins** matter, Dr. Robinson moved to issue the Statement of Allegation, Order to Use Pseudonyms and Impound Identities and Medical Records, 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

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

In the **Shiner** matter, Dr. Robinson moved issue the Statement of Allegations and approve the Consent Order.

Dr. Oh seconded the motions.

Dr. Robinson called the Roll:

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

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

In the **Sutton** 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:

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

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

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

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

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

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

Update on Pending Appeals and Litigation:

Ms. Berg provided the Board members with a status update of pending appeals and litigation involving the Board of Registration in Medicine.

Board Member Availability

The Board discussed their anticipated availability to attend the September 22, 2022, October 6, 2022 and October 20, 2022 Board Meetings.

The Board members in attendance did not indicate any schedule conflicts that would prevent them from attending the September 22, 2022 and October 6, 2022 Board meetings.

Dr. Nour stated that she had a hard stop at 12:00 pm on Sept. 22, 2022 and she did not anticipate attending the October 20, 2022 Board meeting.

Dr. Oh inquired as to whether the Board meetings would continue to be held twice a month or whether the Board meetings would be scheduled to occur on a three-week rotation.

Mr. Zachos stated that for the remainder of the year the Board meetings would be held twice a month. However, the Board would be presented, at the next Board meeting, with a draft 2023 Calendar to consider. At that time the Board could discuss whether to hold Board meetings every two weeks or change to every three weeks.

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

Dr. Bush moved to adjourn the Board meeting.

Dr. Oh seconded the motion.

Dr. Robinson called the Roll:

Dr. Oh – Aye

Dr. Nour – Aye

Dr. Bush – Aye

Mr. O'Donnell – Aye

The Chair voted Aye

Motion carried 5-0 (unanimous).

Meeting adjourned at 12:12 p.m.

Documents Considered in Public Sessions I and II:

- Memorandum RE: Quarterly Federation of State Medical Boards Update on United States Medical Licensing Examinations
- Memorandum RE: Yashwant Chaudrhi, M.D. – Request for Reconsideration of Sanction

- Memorandum RE: Leonardo Riella, M.D. – Request to Terminate Suspension
- Public Session Minutes of the August 4, 2022 Board Meeting
- Motions and Votes
- Licensing Applications List
- Memorandum RE: Update on Pending Appeals and Litigation