

The following minutes are draft minutes which are subject to revision, and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD REGULAR MEETING
MINUTES OF REGULAR MEETING
June 18, 2024**

BOARD MEMBERS PRESENT:

Kathryn Emmett, Esq., Chairperson
William C. Kohlhepp, DHSc, PA-C
Michele Jacklin
C. Steven Wolf, MD
David Schwindt, MD
Peter Zeman, MD
Shawn London, MD
Andrew Yuan, MD
Robert Green, MD
Raymond Andrews, Jr., Esq.
Allyson Duffy, MD
Daniel Rissi, MD
Harold Sauer, MD
Barbara Calderone, Esq.
Keat Jin Lee, MD

BOARD MEMBERS ABSENT:

Joseph Kaliko, Esq.
Marilyn Katz, MD
Edward G. McAnaney, Esq.

DPH / AAG STAFF PRESENT:

Ryan Burns, DPH Deputy Legal Director
Elizabeth Bannon, Assistant Attorney General
Linda Fazzina, DPH Staff Attorney
Craig Sullivan, DPH Staff Attorney
Stephen Carragher, DPH
Derrick Williams, Board Liaison
Betty J. Rozario, Board Liaison
Brett Moody, DPH

CALL TO ORDER.

Kathryn Emmett called the meeting to order at 1:52 p.m.

APPROVAL OF MINUTES

Dr. Steven Wolf moved to amend the March 19, 2024 minutes to add that the Board expressed significant concern and displeasure with the \$10,000 limit on civil penalties adopted by legislature. William Kohlhepp seconded the motion. The motion was approved by roll call vote. Michele Jacklin abstained, Dr. Harold Saur abstained, Barbara Calderone abstained, and Dr. Allyson Duffy abstained.

Dr. Steven Wolf moved to amend the March 19, 2024 minutes to strike the “with” at the bottom of the first page. William Kohlhepp seconded the motion. The motion was approved by roll call vote. Michele Jacklin abstained, Dr. Harold Saur abstained, Barbara Calderone abstained, and Dr. Allyson Duffy abstained.

Dr. C. Steven Wolf moved to approve the March 19, 2024, meeting minutes, as amended. William C. Kohlhepp seconded the motion. The motion was approved by roll call vote. Michele Jacklin abstained, Dr. Harold Saur abstained, Barbara Calderone abstained, and Dr. Allyson Duffy abstained.

PUBLIC COMMENT

There was no public comment.

CHAIR UPDATES

Chairwoman Kathryn Emmett thanked Derrick Williams for his service as Board Liaison.

Chairwoman Kathryn Emmett introduced a new board member, Attorney Barbara Calderone.

There was a discussion of hearing assignments and status of hearings.

DPH UPDATES

Stephen Carragher discussed the reinstatement process and the Board’s role in it.

REVIEW OF REINSTATEMENT REQUEST

Sherwin Borsuk, MD.

Dr. Robert Green moved to recommend the Department reinstate Dr. Borsuk’s license. Dr. Steven Wolf seconded the motion. Stephen Carragher appeared on behalf of the Department and provided a review of the request. Dr. Borsuk was not present. After discussion, the Board members voted by roll call unanimously not to recommend reinstatement of Dr. Borsuk’s license.

PROPOSED CONSENT ORDER

Barbara G. Orrok, M.D. Petition No. 2021-821

Attorney Linda Fazzina appeared on behalf of the Department. Attorney Ellen Costello appeared on behalf of the Respondent.

Dr. Robert Green moved to add a motion to approve the proposed Consent Order for Dr. Orrok. Dr. Steven Wolf seconded the motion. After a brief discussion, Dr. Peter Zeman

recused himself and the remaining Board members voted to approve the motion by roll call.

PROPOSED MEMORANDUM OF DECISION

Akiva Bronstein, P.A. Petition No. 2022-918 (Linda Fazzina, Esq., DPH Staff Attorney)

Linda Fazzina, Esq. presented the proposed Memorandum of Decision to the Board. Linda Fazzina, Esq. appeared on behalf of the Department. Christopher Molyneaux, Esq. appeared on behalf of the Respondent.

Dr. Peter Zeman moved to approve the Memorandum of Decision. William Kohlhepp seconded the motion. Dr. Peter Zeman moved to amend the Department's Request for Revisions to Proposed Memorandum of Decision to: 1) replace "bi-weekly" with "every other week"; and 2) incorporate the changes requested by the Department only in section I. A. and I. B. a. of its Department's Request for Revisions to Proposed Memorandum of Decision dated May 14, 2024. William Kohlhepp second the motion.

By roll call vote, the Board approved the Motion to Amend unanimously.

By roll call vote, the proposed Memorandum of Decision as Amended was approved unanimously.

EXTENSION OF TIME

Jonathan T. Simon, M.D. Petition No. 2022-187 (Craig Sullivan, Esq., DPH Staff Attorney)

Dr. Steven Wolf moved to extend the time to issue a final decision on this matter for 90 days with the understanding that the proposed Memorandum of Decision is expected to be on the Board's next agenda. Dr. Steven Wolf moved to extend the time to issue a final decision on this matter for 90 days with the understanding that the proposed Memorandum of Decision is expected to be on the Board's next agenda. William Kohlhepp seconded the motion. By roll call vote, the motion was approved unanimously.

Roosbeh Badii, M.D. Petition No. 2022-562 (Craig Sullivan, Esq., DPH Staff Attorney)

Dr. Robert Green moved to extend the time to issue a final decision on this matter for 90 days with the understanding that the proposed Memorandum of Decision is expected to be on the Board's next agenda. Robert Green moved to extend the time to issue a final decision on this matter for 90 days with the understanding that the proposed Memorandum of Decision is expected to be on the Board's next agenda. Dr. Harold Sauer seconded the motion. By roll call vote, the motion was approved unanimously.

GUIDANCE REQUESTED RELATED TO FOIA RULES

Michele Jacklin moved to amend the agenda to add an item concerning Freedom of Information Act guidance. Dr. Steven Wolf seconded the motion. The motion passed unanimously.

The Board received guidance from its counsel concerning the public meeting

requirements of the Freedom of Information Act and public meeting requirements and guidance on whether her email to Board members, sharing legislative history regarding penalty amounts, constituted a FOIA violation.

ADJOURN

Dr. Peter Zemen moved to adjourn the meeting. The meeting was adjourned at 3:19 p.m.

Kathryn Emmett, Esq., Chairperson