

# Osteopathic Medicine

Winter 2004



Commonwealth of Pennsylvania

Edward G. Rendell  
*Governor*

Pedro A. Cortés  
*Secretary of the Commonwealth*

Basil L. Merenda  
*Commissioner,  
Bureau of Professional and  
Occupational Affairs*

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## Message from the Board Chairman

Thomas R. Czarnecki, D.O.

The Medical Care Availability and Reduction of Error Act (MCARE) was signed into law on March 20, 2002, thereby creating many new obligations for practicing physicians in the Commonwealth of Pennsylvania.

The new law creates, among other requirements, a mandatory self-reporting obligation on physicians. Physicians are obligated to self-report to the Board within 60 days of the occurrence of any of the following:

- Notice of civil malpractice lawsuit
- Notice of a disciplinary action by another jurisdiction
- Any controlled substance conviction
- Any arrests for criminal offenses such as homicide, assault, sexual offenses, and controlled substance violations

Reports must include the court where the case was filed, docket number, filing date, date the physician was served, and description of the allegations and copy of the pertinent documents. Failure to report may result in disciplinary action against the physician's license. Even though you may seek legal advice, it is beneficial to notify the Board yourself. If in doubt, contact the SBOM.

The new law also obligates the physicians of Pennsylvania (allopathic and osteopathic) to complete 100 hours of continuing medical education for each biennial renewal period.

The MCARE law also obligates the Board to review, for the first time, allegations of single acts of simple negligence.

## Licensee Spotlight

Where do you see yourself at age 92? Perhaps you imagine enjoying the rewards of retirement after decades of dedication and hard work, watching the world from a hammock or a porch swing. Maybe you see mellow summer evenings, watching great-grandchildren catch lightning bugs. The chances are, you do not envision yourself seeing patients and teaching a new generation of Osteopaths.

Ida Schmidt, DO, age 92, is still doing what she does best – treat and teach. She does not allow life to slow her down. Despite a bout with cancer in 1995 and a fractured rib sustained on Easter Sunday in 2002, she still sees six patients a day, guiding their bodies back into alignment with strength and certainty.

In 2003, Dr. Schmidt was honored with three top awards in the field: the “Family Physician of the Year” by the American College of Osteopathic Family Physicians (ACOF), the “Teacher of the Year Award” from the Pennsylvania Osteopathic Family Physicians Society (POFPS) and the “Frederick J. Solomon, DO Award of Merit.” She is the only physician to receive all three awards in one year. In addition, she was awarded the title of professor emeritus (despite the fact that she still sees patients four days a week) from the Philadelphia College of Osteopathic Medicine, where she obtained her degree as the first in her class in 1935.

Dr. Schmidt came to Osteopathy through the fortunes of fate. At the age of 5, she was struck by a car, resulting in three cracked vertebrae and sciatica. She was referred to PCO (as PCOM was known as at the time) for treatment which ended with not only a corrected condition, but a determination to follow the career path of an Osteopathic doctor.

During the 30's, when a young woman's education consisted of learning to cook for a family and keeping a house, Ida Schmidt was dissecting cadavers and learning to adjust every bone in the foot with only six corrections. Today, she teaches young men and women the secrets of enabling the human body to heal itself. In addition to instructing 30 years worth of freshmen in the powers of manipulative treatment, she offers pieces of wisdom gleaned from nearly 70 years of practice: you will not have time to scrub floors or bake pies, find out if your future spouse can cook, don't expect to have time to join clubs. Dr. Ida's husband, David Williams, manages her office. “I don't know anything about insurance and HIPAA,” she said in an interview for the Glenside News. “He handles all of that.” He also takes obvious pride in her abilities and dedication.

“Ida has put in her will,” he told the Philadelphia Inquirer, “that when she dies, bury her treatment table with her, in case St. Peter has sciatica.”

# Frequently Asked Questions

## Continuing Medical Education

The State Board of Osteopathic Medicine implemented CME requirements several years ago. The Board is in the process of amending these regulations to provide for, among other things, a requirement that the licensee obtain 10 credit hours in the areas of patient safety or risk management. The following are the most frequently asked questions pertaining to continuing education.

### What are the requirements for licensure renewal?

The State Board of Osteopathic Medicine requirements are 100 CME credits for licensure cycle.

- 100 total credit hours of CME in the two-year license cycle, (November 1 of every even year – October 31 of the following even year).
- A minimum of 20 of the total credit hours must be in courses granted AOA Category 1 approval.
- Once the Board's continuing education regulations are revised, 10 credit hours in the areas of patient safety or risk management (either Category 1 or 2) will be required.

### When are the Patient Safety requirements effective?

Assuming that the regulations become final, 10 credit hours in patient safety or risk management will be required beginning with the licensure renewal period commencing November 1, 2006. This means that licensees will be required to complete these 10 hours during the November 1, 2004 to October 31, 2006 cycle.

### Will I need the full amount of credit hours at the end of 2004 cycle to renew my license?

100 CME hours will be required as in the past. Patient Safety CME will not be required for the November 1, 2002 through October 31, 2004 cycle.

### Who will I need to report to in order to renew my license?

The State Board of Osteopathic Medicine is not requiring a report of CME at the time of the license renewal. The license renewal form will contain an area for physicians to attest that they have completed the required hours. By attesting that the requirement is completed, a physician may be subject to a random audit by the Board of Osteopathic Medicine. If audited, a physician will need to show evidence of the completion of the required credit hours. Failure to produce the requested evidence may result in a fine and possible suspension of license or other discipline.

### How many credit hours need to be in patient safety or risk management?

If promulgated, the revised regulations will require that 10 credit hours need to be in patient safety or risk management beginning with the November 1, 2006 biennial renewal period.

### How do I know if a CME activity is patient safety or risk management?

The State Board of Osteopathic Medicine has yet to approve a complete list of topics that will satisfy the patient safety/risk management requirement; however, such topics as improving medical records and record keeping, reducing medical errors, professional conduct in ethics, improving communication, preventative medicine and healthcare quality improvement will probably be acceptable.

Do the patient safety or risk management credit hours need to be in Category 1 or Category 2?

The patient safety or risk management credit hours can be in either Category 1 or Category 2.

If I have 10 Category 1 credit hours in patient safety or risk management topics, may I count these for both the Category 1 requirement and the patient safety/risk management requirement?

Yes. If any of the patient safety credit hours that a physician has earned are AOA Category 1 credit hours, they can be counted toward both the AOA Category 1 requirement and the patient safety/risk management requirement.

### What is the difference between Category 1 and Category 2 credit hours?

Category 1 credit hours are defined by the Board as continuing medical education activities approved for American Medical Association Physician's Recognition Award Category for 1 credit. You will know that it is Category 1 because all of the promotional materials will contain a statement similar to the following:

"This activity has been planned and implemented in accordance with the Essential Areas and policies of the AOA-Council on Continuing Medical Education. The (sponsoring organization) is accredited by the Council on Continuing Medical Education to sponsor continuing medical education for physicians."

Your CME certificate will also state that the activity has been approved for Category 1.

Category 2 credit hours are defined by the Board as continuing medical education activities approved for American Medical Association Physician's Recognition Award Category 2 credit.

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## License Status

### Inactive Status

A licensee who does not intend to actively practice in the Commonwealth of Pennsylvania may place the license on an inactive status. While on inactive status no fees or continuing medical education credits are required. To place the license on inactive status you must notify the State Board of Osteopathic Medicine, Mcare, your current insurance carrier and your patients providing them with a procedure for obtaining their medical records.

The license may be reactivated at any time by contacting the Board Office. At that time, you will be required to complete a Reactivation Application, provide evidence of completion of the required CME in the 2-year period immediately prior to reactivation, and pay the current registration fee.

### Active Retired Status

A physician who wishes to continue to write prescriptions for himself or immediate family should place his license on Active Retired Status. When you notify the Board's administrative staff that you wish to place your license on Active Retired Status, you retain authority to prescribe for yourself and your family. You are excused from maintaining malpractice insurance and meeting continuing education requirements. You will, however, be required to pay the biennial license renewal fee.

### Volunteer License

As an active or inactive physician, you may wish to volunteer your services at approved clinics. The Volunteer Health Services Act permits the Board to issue a volunteer license to a health care practitioner who practices in approved clinics without remuneration and who is either retired or a nonretired physician who is not practicing medicine or providing health care services in this Commonwealth, and therefore is not required to maintain professional liability insurance under the Health Care Malpractice Act or the Medical Care Availability and Reduction of Error (MCARE) Act. Physicians in good standing who wish to volunteer their time in such clinics may obtain a volunteer license. There is no charge for the volunteer license; you are excused from malpractice insurance requirements. You will however be required to meet the continuing education requirements. The Board is currently in the process of drafting regulations pertaining to volunteer licenses.

## Change of Address

To ensure receipt of a renewal notice or important information from the Board, please make sure you contact the board office, in writing, with any changes in name or address. Name changes require a copy of a court order, marriage certificate, divorce decree or other official documents. Send changes to:

State Board of Osteopathic Medicine  
P.O. Box 2649  
Harrisburg, PA 17105-2649  
Fax: (717) 787-7769

### Incompetence or Unlicensed Activity

If you believe the practice or service provided by a licensed professional to be incompetent; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs complaints hotline at:

**In Pennsylvania: 1-800-822-2113**  
**Out of State: 1-717-783-4854**

A complaint form is available on the Department of State's internet site:

**[www.dos.state.pa.us](http://www.dos.state.pa.us)**

# Disciplinary Actions

*The following is a chronological listing of disciplinary actions taken by the Board from June 2003 through June 2004. Each entry includes the name, certificate or registration number (if any), and last known address of the respondent; the disciplinary sanction imposed; a brief description of the basis of the disciplinary sanction and the effective date of the disciplinary sanction.*

*Every effort has been made to ensure that the following information is correct. However, this information should not be relied on without verification from the Prothonotary's Office of the Bureau of Professional and Occupational Affairs. One may obtain verification of individual disciplinary action by writing or telephoning the Prothonotary's Office at P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686. Please note that the names of persons listed below may be similar to the names of persons who have not been disciplined by the Board.*

**Mitchell F. West**, license no. **OS-004799-L**, of Bethel Park, Allegheny County, was indefinitely suspended for violating the terms and conditions of his Consent Agreement and Order. (7/10/03)

**Conrad J. Sarnecki**, license no. **OS-007260-L**, of Wilkes-Barre, Luzerne County, was issued an order temporarily suspending his license due to substance impairment. (7/22/03)

**John L. Edwards**, license no. **OS-004725-L**, of Wilkesburg, Allegheny County, was assessed a civil penalty in the amount of \$18,000 for failing to maintain professional liability insurance. (7/30/03)

**Dan Jacob**, license no. **OS-002982-L**, of Philadelphia, Philadelphia County, was assessed a civil penalty of \$2000, and his license was suspended, with active suspension of thirty days followed by six months of probation subject to terms and conditions, because he failed to conform to acceptable standards of care in examining, diagnosing and treating his patient and failed to maintain adequate medical records. (8/13/03)

**Gregory J. Lynch**, license no. **OS-005328-L** of Philadelphia, Philadelphia County, is suspended

for 60 days and assessed \$5,000 civil penalty because Lynch practiced on a suspended license. (8/13/03)

**Joseph D. Ordille, Jr.**, license no. **OS-007848-L**, of Greenwich, New Jersey was indefinitely suspended, but stayed immediately in favor of five (5) years probation because of drug impairment due to drug use. (8/13/03)

**Tara Lynn Jerz**, license no. **YO-000632-L**, of Central City, Somerset County, was assessed a civil penalty of five hundred (\$500.00) dollars, because Jerz used a title prior to June 24, 2003 which implies that respiratory care services were being provided by a holder of a valid, current, temporary permit or certificate issued by the Board. (9/10/03)

**John V. Cappello**, license no. **OS-004190-L** of North Charleston, South Carolina permanently and voluntarily surrendered his license to practice osteopathic medicine in the Commonwealth of Pennsylvania, because Cappello had disciplinary action taken against his license to practice by the licensing authority of another state. (10/8/03)

**Conrad J. Sarnecki**, license no. **OS-007260-L**, of Wilkes-Barre, Luzerne County, permanently surrendered his license to practice osteopathic medicine and surgery because of impairment due to alcohol abuse. (10-08-03)

**Mickey Syrquin**, license number **OT-002135-T**, of Fargo, North Dakota, agreed to the permanent, voluntary surrender of his license because he had disciplinary action taken against his license by the proper licensing authorities of other states. (10-8-03).

**Randi M. Kodroff**, license no. **OS-006127-L**, of Mercerville, New Jersey, was indefinitely suspended based on the fact that she only completed 83 hours of continuing medical education credits for the biennial period from November 1, 1998 through October 31, 2002, a deficiency of 17 credit hours. (10-21-03)

**Elaine Ceachor Turcan**, license no. **OS-007371-L**, of Exeter, Luzerne County, was assessed a civil penalty in the amount of \$250.00 based on the fact that she was deficient by 20 AOA Category I continuing education hours for the period November 1, 1998 through October 31, 2000. (11-24-03)

**Eric Alan Goldsmith**, license no. **OS-005790-L**, of Tavares, Florida was assessed a civil penalty of one thousand dollars (\$1000.00) and had a public reprimand placed on his permanent Board record because he had disciplinary action taken against his license by the proper licensing authority of another state. (12-10-03)

**Stephen Goykovich**, license no. **OS-007685-L** of Avis, Clinton County, was assessed a civil penalty of \$5,000 and a public reprimand was placed on his permanent Board record. Goykovich's license was suspended for one year, with said suspension stayed in favor of probation, because he failed to conform to the standards of acceptable and prevailing osteopathic medical practice in the prescription of controlled substances. (12-10-03)

**Bartley Stein**, license no. **KO-000023-L**, of Hatboro, Montgomery County had his registration to practice acupuncture suspended for a period of twenty four months stayed in favor of a two week period of active suspension and remaining twenty three and one half months probation because he engaged in unprofessional conduct by committing a boundary violation by having physical contact with a patient in a manner which was not medically indicated and by becoming emotionally involved with a patient. (01-14-04)

**Adam M. Meyers**, license no. **OS-009177-L**, of Tinton Falls, NY, was placed on probation subject to terms and conditions until such time as he can demonstrate that all the conditions placed on his practice in New Jersey have been lifted and his certificate in that state reinstated without restriction. (01-21-04)

**Olen Amerson**, license no. **OS-003355-L**, of Paintsville, KY, was revoked based on the fact that his license to practice osteopathic medicine was disciplined by the proper licensing authority of another state. (01-23-04)

**Milton E. Corsey**, license no. **OS-001983-L**, of Penns Grove, NJ, was assessed a civil penalty in the amount of \$500 based on the fact that he failed to document the completion of CME credits. (01/30/04)

**John L. Edwards, Jr.**, license no. **OS-004725-L**, of Wilkesburg, Allegheny County, was

## Disciplinary Actions Continued

reprimanded and assessed a civil penalty in the amount of \$2000 based on the fact that he failed to submit an application for registration as a supervising physician for each physician assistant the physician intended to utilize and that only a physician registered with the Board may use the services of a physician assistant. (02/03/04)

**Leo J. Capobianco**, license no. **OT-003876-T**, of Las Vegas, Nevada, voluntarily surrendered his license because he had disciplinary action taken against him by the proper licensing authority of another state. This Order becomes effective immediately. (02-11-04)

**Christopher Jackson Davis**, license no. **OS-007771-L** of York, York County was suspended for four years stayed in favor of two years active suspension and two years probation with conditions from practicing the profession of Osteopathic Medicine because he engaged in unprofessional conduct with a patient by having physical contact for a purpose that was not medically indicated; he was convicted of a felony by a federal court; he was convicted of a crime relating to the practice of osteopathic medicine in a state court because he committed theft by taking an undetermined amount of Nubain from the office supply for personal use; and for being unable to practice the profession by reason of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or other type of materials, or as a result of a mental or physical condition. (2-11-04)

**John E. Sams**, license no. **OS-008934-L**, of Columbus, MD, was indefinitely suspended based on the fact that he had his license revoked by the proper licensing authority of another state. He will remain indefinitely suspended until such time as the Medical Licensure Commission of Alabama has reinstated his license to unrestricted status and he can show fitness to practice osteopathic medicine with reasonable skill and safety to patients. (02/23/04)

**Robert J. McNulty**, license no. **OS-002063-L** of Ocean View, New Jersey was assessed a civil penalty of eight hundred dollars (\$800.00) because he had his license to practice osteopathic medicine and surgery disciplined by the proper licensing authority of another state. (3-10-04)

**Kenneth Winokur**, license no. **OS-003325-L**, of Philadelphia, Philadelphia County, was or-

dered to complete various continuing medical education courses and to be recertified by the American Board of Internal Medicine because of improper prescribing practices. (03-10-04)

**John E. Sams**, license no. **OS-008934-L**, of Columbus, MI, was indefinitely suspended based upon the revocation of his license in Alabama. (2-23-04)

**Larry Levinson**, license no. **OS-005946-L**, of Cooper City, FL, was assessed a civil penalty in the amount of \$1,000 and required him to provide documentation that he completed 20 hours of approved AOA Category I continuing education hours and 73 regular continuing education hours for failing to complete required continuing education. (3-02-04)

**Barbara Battalino**, license no. **OS-003333-L**, of Los Osos, CA, was indefinitely suspended based on findings that she was disciplined by the proper licensing authority of another state. (3-04-04)

**Laura Ann Gorski**, license no. **OS-010951-L** of Las Vegas, Nevada was assessed a \$250.00 civil penalty, because she failed to report to the Board notice of a complaint in a medical professional liability action that is filed against a Respondent. (3-10-04)

**Abraham S. Horn**, license no. **OS-005804-L** of Cherry Hill, New Jersey was assessed a \$250.00 civil penalty, because he failed to report to the Board notice of a complaint in a medical professional liability action that is filed against a Respondent. (3-10-04)

**John A. Avallone**, license no. **OS-007182-L** of Andalusia, Bucks County, was ordered to pay a civil penalty of two hundred fifty dollars (\$250.00), because Dr. Avallone failed to report to the Board within 60 days of receipt of notice of a complaint in a medical professional liability action that is filed against Respondent. (4-14-04)

**Frank Waxman**, license no. **OS-003015-L**, of Bay Harbor, Florida was assessed a civil penalty of \$1,000 and given a reprimand, because the State of Florida took disciplinary action against Waxman's Florida license to practice osteopathic. (4-14-04)

**David Jay Zweiback**, license no. **OS-007761-L** of Jenkintown, Montgomery County, was

ordered to pay a civil penalty of two hundred fifty dollars (\$250.00), because Dr. Zweiback failed to report to the Board within 60 days of receipt of notice of a complaint in a medical professional liability action that is filed against Respondent. (4-14-04)

**Grant F. Koher**, license no. **OS-005117-L**, of Chapel Hill, North Carolina, was imposed with a public reprimand because he had disciplinary action taken against him by the proper licensing authority of another state. (5-12-04).

**Michael W. Tieff**, license no. **OS-002902-L** of East Stroudsburg, Monroe County, was ordered to pay a Civil Penalty of two hundred and fifty dollars (\$250.00), because Tieff failed to report to the Board notice of a complaint in a medical professional liability action that is filed against Respondent (5-12-04)

**Herbert Moss**, license no. **OS-001883-L** of Montgomery County, shall pay a Civil Penalty of one thousand five hundred dollars (\$1,500.00), because Moss failed to complete 100 hours of continuing education credits during the biennial renewal period from November 1, 2000 through October 31, 2002. (5-14-04)

**Joseph R. Bellesorte**, license no. **OS-004209-L**, of Glen Mills, Delaware County, was assessed a \$1,000.00 civil penalty because he failed to complete required continuing education. (6-9-04).

**Antoninus J. Manors**, license no. **OS-006148-L**, of West Chester, Chester County, was imposed with a public reprimand, a \$7,000.00 civil penalty and suspended for three years, stayed in favor of probation subject to various terms and conditions, because he pled guilty to a crime related to the practice of osteopathic medicine. (6-9-04).

## Meet Secretary Pedro A. Cortés

Pedro A. Cortés was nominated as Secretary of the Commonwealth by Gov. Edward G. Rendell on April 2, 2003 and was unanimously confirmed by the Senate on May 13, 2003, making him the first confirmed Hispanic Cabinet member in Pennsylvania history.

The Secretary of the Commonwealth administers the Department of State, a \$198 million-a-year state agency. The Department of State protects the public's health, safety and welfare by licensing nearly one million business, health and real estate professionals; maintaining registration and financial information for thousands of charities soliciting contributions from Pennsylvanians; overseeing Pennsylvania's electoral process; maintaining corporate filings; and sanctioning professional boxing, kick-boxing and wrestling in the Commonwealth.

By statute, the Secretary is a member of the Board of Property, the Board of Finance and Revenue, the State Athletic Commission, the Navigation Commission for the Delaware River and its Navigable Tributaries and the Pennsylvania Municipal Retirement Board. The Secretary is the keeper of the Great Seal of the Commonwealth and has the duty of authenticating government documents through the seal's use. Secretary Cortés is also the Commonwealth's Chief Election Official.

Previously, Secretary Cortés was the Executive Director of the Pennsylvania Governor's Advisory Commission on Latino Affairs. As Executive Director, he made recommendations to the Governor and the administration on policies, procedures and legislation that enhanced the status of the Latino community in Pennsylvania. As the Governor's liaison to the Latino community, he ensured that state government was accessible, accountable and responsive to the needs of Latinos and that strategies and programs were developed to enhance the community's social and economic status.

Secretary Cortés has also served with the PA State Civil Service Commission and the PA Department of Public Welfare. For years, he has also been active with numerous community and government related organizations.

Recently, Secretary Cortés was named as one of Hispanic Business Magazine's "100 Most Influential Hispanics in the United States" and was also tabbed by the Central Penn Busi-

ness Journal as one of the top "Forty Under 40" business leaders in Central Pennsylvania. American Lawyer Media has also selected Secretary Cortés as a "Lawyer on the Fast Track," a distinction bestowed upon Pennsylvania lawyers under 40 years of age.

Secretary Cortés earned his Bachelor of Science in Hotel, Restaurant and Travel Administration from the University of Massachusetts, a Master in Public Administration from Penn State University and a Law Degree from Penn State Dickinson School of Law. He also holds a certificate in Public Sector Human Resources Management from Penn State University.

A native of Puerto Rico, Secretary Cortés has lived in Harrisburg since 1990. He is married to Lissette Lizardi-Cortés and they have a daughter Gabriela Paola.

## Meet Commissioner Merenda

Basil L. Merenda was appointed Acting Commissioner of the Bureau of Professional and Occupational Affairs by Governor Edward G. Rendell on January 5, 2004 and was unanimously confirmed by the Senate on March 16, 2004.

As Commissioner, he is responsible for overseeing the day-to-day functions of the Bureau of Professional and Occupational Affairs. The Bureau provides administrative support to the 27 professional licensing boards and commissions. Commissioner Merenda serves as the Governor's designee on 25 of the 27 professional licensing boards.

Prior to his appointment, Merenda served as Deputy Attorney General for the state of New Jersey, with emphasis on antitrust and financial crimes. He also served as legal counsel to the United Food and Commercial Workers Union Local 1776 in Norristown from 1987 to 1993.

A native of Philadelphia, Pennsylvania, Merenda earned a bachelor's degree in economics from Villanova University, a master's degree in economics from the University of Notre Dame and a law degree from Villanova University Law.

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Commissioner  
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2005 Board Meeting Dates			
January 12	February 9	March 9	
April 13	May 11	June 8	July 13
August 10	September 14	October 12	
November 9		December 14	