

COPY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

2019 AUG 30 09:13:51
Department of State

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

vs.

Case No. 18-49-010204

Alan Robert Vinitzky, M.D.,
Respondent

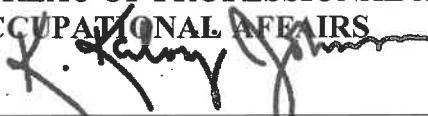
FINAL ORDER

AND NOW, this 30th day of August 2019, noting that neither party filed an application for review and that the State Board of Medicine (Board) did not issue a Notice of Intent to Review, in accordance with 1 Pa. Code § 35.226(a)(3) and 49 Pa. Code § 16.57, the hearing examiner's Amended Adjudication and Order dated July 10, 2019, appended to this order as **Attachment A**, is now the **FINAL ORDER** of the Board in this proceeding.

This Order shall take effect immediately.

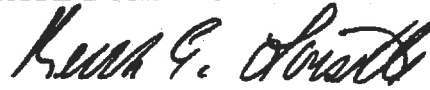
BY ORDER:

BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS



K. KALONJI JOHNSON
ACTING COMMISSIONER

STATE BOARD OF MEDICINE



KEITH E. LOISELLE
CHAIR

Respondent:

Alan Robert Vinitzky M.D.
2301 Research Blvd, Ste 220
Rockville, MD 20850

For the Commonwealth:

Keith E. Bashore, Esq.
Prosecuting Attorney
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521

Board Legal Counsel:

Peter D. Kovach, Esq.

Date of Mailing:

August 30, 2019

ATTACHMENT

A

COPY

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

RECEIVED
JUL 10 2019
Department of State
Prothonotary

Commonwealth of Pennsylvania, :
Bureau of Professional and :
Occupational Affairs :

v. :

File No. 18-49-010204

Alan R. Vinitzky, M.D., :
Respondent :

AMENDED ADJUDICATION AND ORDER

Ruth D. Dunnewold
Hearing Examiner

**COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL
DEPARTMENT OF STATE
OFFICE OF HEARING EXAMINERS
P.O. Box 2649
Harrisburg, PA 17105-2649**

Date Distributed 7/10/19
Prosecution _____
Counsel ✓ PDK
BFO _____
Hearing Examiner _____
Other _____

HISTORY

This matter comes before a hearing examiner for the Department of State on a single count amended order to show cause filed November 29, 2018, in which the Commonwealth alleged that Alan R. Vinitzky, M.D. ("Respondent"), is subject to disciplinary action by the State Board of Medicine ("Board") under the Medical Practice Act ("Act"), Act of December 20, 1985, P.L. 457, No. 112, *as amended*, 63 P.S. § 422.1 *et seq.*, at section 41(4), 63 P.S. § 422.41(4), as a result of having disciplinary action taken against him by the Maryland State Board of Physicians ("Maryland Board"). The Commonwealth served the order to show cause on Respondent at his last-known address on file with the Board as well as at the address that the Commonwealth believed to be Respondent's current address.

On December 12, 2018, Respondent filed, *pro se*, a letter-answer to the order to show cause. Among other things, Respondent indicated in his letter-answer that his current office address was 2301 Research Blvd Ste 220, Rockville, MD 20850, which was neither his last-known address on file with the Board nor the address that the Commonwealth believed to be Respondent's current address. Thereafter, a Notice of Hearing dated January 23, 2019 was issued, scheduling the matter for a hearing to occur on February 26, 2019. The Office of Prothonotary sent the Notice of Hearing to Respondent at his last-known address on file with the Board as well as at the address that the Commonwealth believed to be Respondent's current address. The Notice of Hearing sent to Respondent at his last-known address on file with the Board was returned to the Office of Prothonotary, but the Notice of Hearing sent to him at the address the Commonwealth believed to be his current address was not returned.

The hearing occurred as scheduled. The Commonwealth was represented by Prosecuting Attorney Keith E. Bashore. Respondent did not appear, nor did anyone appear on his behalf. Mr.

Bashore presented the Commonwealth's case in the form of documentary evidence. The record was closed with the filing of the hearing transcript on March 13, 2019, and the hearing examiner issued an Adjudication and Order on March 19, 2019.

Thereafter, by *Order Remanding Matter to Office of Hearing Examiners for Further Proceedings*¹ dated March 26, 2019, the Board expressed concern that Respondent did not receive adequate notice of the February 26, 2019 hearing and remanded the matter for further appropriate proceedings after a revised notice of hearing is sent to Respondent's proper current address as indicated in his answer to the order to show cause. Thereafter, a Notice of Rescheduled Hearing, dated March 29, 2019, announced a new hearing, to be conducted on June 14, 2019. The Office of Prothonotary served the Notice of Rescheduled Hearing on Respondent at the current office address indicated in his letter-answer, 2301 Research Blvd Ste 220, Rockville, MD 20850.

On June 13, 2019, Respondent filed a letter with the Office of Prothonotary, indicating that he had received the Adjudication and Order issued March 19, 2019, had received the Notice of Rescheduled Hearing scheduling a new hearing for June 14, 2019, consented to the March 19, 2019 Adjudication and Order, and saw no need for an additional hearing. The new hearing scheduled for June 14, 2019, convened as scheduled. The Commonwealth was represented by Keith E. Bashore, Esquire. Respondent did not appear, nor did anyone appear on his behalf. Mr. Bashore requested that official notice be taken of Respondent's letter filed with the Office of Prothonotary on June 13, 2019, which request was granted. The hearing was then concluded.

¹Notably, the Board's *Order Remanding Matter to Office of Hearing Examiners for Further Proceedings* did not vacate the previously-issued Adjudication and Order. For that reason, the present decision is denoted as "Amended Adjudication and Order."

FINDINGS OF FACT

1. Respondent holds a license to practice medicine and surgery in the Commonwealth of Pennsylvania, license no. MD018171E, which was originally issued on July 16, 1976, expired December 31, 2001, and absent further Board action, may be renewed, reactivated or reinstated upon the filing of the appropriate documentation and payment of the necessary fees. Official notice of Board records.²

2. At all pertinent times, Respondent held a license to practice medicine and surgery in the Commonwealth of Pennsylvania. *Id.*

3. Respondent's last known address on file with the Board is 902 Wind River Lane, Suite 201, Gaithersburg, MD 20878, but in responding to the order to show cause, Respondent utilized an address of 2301 Research Blvd, Ste. 220, Rockville, MD 20850. *Id.*

4. On October 18, 2018, the Maryland Board approved a Consent Order in a case captioned *In the Matter of Alan R. Vinitzky, M.D., Respondent, License Number: D22180*, Case Number 2016-1026 B. Exhibit C-1, paragraphs 7 and 8 and attached Exhibit A; Exhibit C-2.

5. Among other things, the Maryland Board's Consent Order imposed a reprimand on Respondent's Maryland license to practice as a physician, placed that license on probation for a minimum of one year, permanently prohibited Respondent from prescribing all Controlled Dangerous Substances ("CDS"), and permanently prohibited Respondent from issuing written

²Official notice is taken of the Board's licensure records pertaining to Respondent in accordance with the rule that a licensing board may take official notice of its own records. General Rules of Administrative Practice and Procedure, 1 Pa. Code § 31.1 *et seq.*, at § 35.173; *see also Falasco v. Commonwealth of Pennsylvania Board of Probation and Parole*, 521 A.2d 991 (Pa. Cmwlth. 1987) (The doctrine of official notice allows an agency to take official notice of facts which are obvious and notorious to an expert in the agency's field and those facts contained in reports and records in the agency's files); *Gleeson v. State Bd. of Medicine*, 900 A.2d 430, 440 (Pa. Cmwlth. 2006), *appeal denied*, 917 A.2d 316 (Pa. 2007) (licensing board may take official notice of its own records). All subsequent such references will be cited as "Board records."

certifications to patients for medical cannabis treatment. Exhibit C-1 at attached Exhibit A; Exhibit C-2.

6. Respondent was served with the order to show cause and all subsequent pleadings, orders and notices filed of record in this matter, filed an answer, and had the opportunity to appear at and participate in the hearings in this matter, which he declined. Board records (Respondent's letter filed June 13, 2019; Notes of Testimony (February 26, 2019) at 5; Notes of Testimony (June 14, 2019) at , and *passim*.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter. Findings of Fact 1 – 2.
2. Respondent has been afforded reasonable notice of the charges against him and an opportunity to be heard in this proceeding, in accordance with the Administrative Agency Law, 2 Pa.C.S. § 504. Finding of Fact 6.
3. Because the Maryland Board imposed a reprimand on Respondent's Maryland license to practice as a physician, placed that license on probation for a minimum of one year, permanently prohibited Respondent from prescribing all CDS, and permanently prohibited Respondent from issuing written certifications to patients for medical cannabis treatment, Respondent's license to practice medicine and surgery in Maryland has had disciplinary action taken against it by the proper licensing authority of another state, which authorizes the Board to impose disciplinary or corrective measures on him pursuant to section 41(4) of the Act, 63 P.S. § 422.41(4), as alleged in the order to show cause. Findings of Fact 4 – 5.

DISCUSSION

Violation

This action is brought under subsection 41(4) of the Act, which provides in relevant part as follows:

§ 422.41. Reasons for refusal, revocation, suspension or other corrective actions against a licensee or certificate holder

The board shall have authority to impose disciplinary or corrective measures on a board-regulated practitioner for any or all of the following reasons:

* * *

(4) Having a license or other authorization to practice the profession revoked or suspended or having other disciplinary action taken...by a proper licensing authority of another state, territory, possession or country, or a branch of the Federal Government.

* * *

63 P.S. § 422.41(4).

The Commonwealth's evidence consisted of copies of the order to show cause and Respondent's response to it. The response to the order to show cause, Exhibit C-2, does not comply with the requirements of the General Rules of Administrative Practice and Procedure ("General Rules"), 1 Pa. Code § 31.1 *et seq.*, in that it is not "drawn so as specifically to admit or deny the allegations or charges which may be made in the order, set forth the facts upon which respondent relies and state concisely the matters of law relied upon." 1 Pa. Code § 35.37. Such a response may serve as the basis, under 1 Pa. Code § 35.37, for entry of a final order against Respondent based on the allegations in the order to show cause which Respondent failed to address. *C.f. Zook v. State Board of Dentistry*, 683 A.2d 713 (Pa. Cmwlth. 1996).

Furthermore, Respondent specifically stated in his response that "[i]t is accurate that the Maryland Board of Physicians (Board) Consent Order imposed a reprimand and 1-year probation on

my practice of medicine.” Exhibit C-2, first page, last paragraph. Respondent also stated in his response that “I emphasize the essential details of the Consent Order. . . I may not prescribe CDS for any patients. . . This permanent restriction takes effect on January 18, 2019. . . As of January 18, 2019, I will not be permitted to write these prescriptions. I have advised patients that I will cease writing all CDS after January 15.” Exhibit C-2, second page. Additionally, Respondent attached to his response to the order to show cause a copy of a National Practitioner Data Bank (“NPDB”) report pertaining to the Maryland Board’s Consent Order. In that report, Respondent stated “On October 18, 2018, the Maryland Board of Physicians and I entered a Consent Order in which I was issued a reprimand, my CDS prescribing rights were restricted beginning January 18, 2019, and I was placed on one-year probation contingent upon completion of terms.” Exhibit C-2 (*see attached NPDB Report at DCN: 5500000140087873, p. 2 of 3*).

With these statements, and through his failure to deny any of the allegations of fact in the order to show cause, Respondent admitted the fact that the Maryland Board imposed disciplinary sanctions on him by means of the Consent Order. The findings of fact in this matter are based on those admissions by Respondent, as well as on the allegations in the order to show cause which Respondent has not specifically denied, and which follow from the admitted fact that the Maryland Board disciplined him through the Consent Order.

Respondent did not appear at the hearing on February 26, 2019, and indicated in a letter filed on June 13, 2019, that he did not see a need for an additional hearing. Therefore, there is no dispute as to the underlying facts. It follows that the Commonwealth has met its burden of proof³ as to the charge set forth in the order to show cause.

³The degree of proof required to establish a case before an administrative tribunal in an action of this nature is a preponderance of the evidence. *Lansberry v. Pennsylvania Public Utility Commission*, 578 A.2d 600, 602 (Pa. Cmwlth. 1990). A preponderance of the evidence is generally understood to mean that the evidence demonstrates a fact is more

(Footnote continued on next page.)

Sanction

For a violation of the Act, the Board is authorized to impose disciplinary or corrective measures or a civil penalty pursuant to section 42(a), which provides as follows:

§ 422.42. Types of corrective action

(a) **Authorized actions.**—When the board is empowered to take disciplinary or corrective action against a board-regulated practitioner under the provisions of this act or pursuant to other statutory authority, the board may:

- (1) Deny the application for a license, certificate or any other privilege granted by the board.
- (2) Administer a public reprimand with or without probation.
- (3) Revoke, suspend, limit or *otherwise restrict* a license or certificate.
- (4) Require the board-regulated practitioner to submit to the care, counseling or treatment of a physician or a psychologist designated by the board.
- (5) Require the board-regulated practitioner to take refresher educational courses.
- (6) Stay enforcement of any suspension, other than that imposed in accordance with section 40, and place a board-regulated practitioner on probation with the right to vacate the probationary order for noncompliance.
- (7) Impose a monetary penalty in accordance with this act.

63 P.S. § 422.42(a) (emphasis added).

The Board has a duty to protect the health and safety of the public. Under the Act, the Board is charged with the responsibility and authority to oversee the profession and to regulate and license professionals to protect the public health and safety. *Barran v. State Board of Medicine*, 670 A.2d 765,

likely to be true than not to be true, or if the burden were viewed as a balance scale, the evidence in support of the Commonwealth's case must weigh slightly more than the opposing evidence. *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854, 856 (Pa. 1949).

767 (Pa. Cmwlth. 1996), *appeal denied* 679 A.2d 230 (Pa. 1996). In fashioning a sanction fitted to the circumstances of a given disciplinary matter, it is appropriate to consider any mitigating or aggravating evidence in the record. However, because Respondent did not appear at the hearing, there is no mitigating evidence in the record. Nor did the Commonwealth present any aggravating evidence.

When a state licensing board confers a professional license, it represents the opinion of that State that the license holder has met the enumerated qualifications for that license. *Khan, supra*, 842 A.2d at 944. It follows that, when a licensing board takes away or limits a license, it represents the opinion of that State that the license holder is no longer qualified for the license, or some aspect of it, due to a lack of one of the qualifications which led to its initial issuance. In such cases, it is common to impose a disciplinary sanction comparable to the sanction imposed in the other state, unless the licensee presents mitigating evidence which would warrant a lesser sanction.

There is no evidence in the record to indicate that the probation on Respondent's Maryland license has ended. Furthermore, the restrictions that the Maryland Board placed on his Maryland license are permanent. Pennsylvania's citizens deserve no less protection than the Maryland Board afforded to Maryland's citizens. Accordingly, Respondent's license will be placed on probation, concurrent with the remainder of his period of probation in the Maryland disciplinary matter, and the same permanent restrictions will be placed on his license in the Commonwealth.

Based upon the foregoing, the following order shall issue:

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

Commonwealth of Pennsylvania,	:		
Bureau of Professional and	:		
Occupational Affairs	:		
	:		
v.	:	File No.	18-49-010204
	:		
Alan R. Vinitzky, M.D.,	:		
Respondent	:		

ORDER

AND NOW, this 10th day of July, 2019, upon consideration of the foregoing findings of fact, conclusions of law and discussion, it is hereby **ORDERED**, as to the license to practice medicine and surgery issued to Respondent, **Alan R. Vinitzky, M.D.**, license no. MD018171E, that

1. Respondent's license shall be **PERMANENTLY RESTRICTED**, as follows:

a. Respondent shall not prescribe controlled dangerous substances ("CDS") of any kind.

b. Respondent shall not issue certifications to patients to use medical marijuana.

2. Respondent's license shall be placed on **PROBATION INDEFINITELY**, until such time as his Maryland license to practice medicine and surgery has been restored to active, nonprobationary status. While his license remains on probation, Respondent shall be subject to the following terms and conditions:

GENERAL

a. Respondent shall abide by and obey all laws of the United States, the Commonwealth of Pennsylvania and its political subdivisions and all rules

and regulations and laws pertaining to the practice of the profession in this Commonwealth or any other state or jurisdiction in which Respondent holds a license to practice a health care profession. Summary traffic violations shall not constitute a violation of this Order.

b. Respondent shall at all times cooperate with the Bureau of Professional and Occupational Affairs and its agents and employees in the monitoring, supervision and investigation of Respondent's compliance with the terms and conditions of this Order, including requests for, and causing to be submitted at Respondent's expense, written reports, records and verifications of actions that may be required by the Bureau of Professional and Occupational Affairs.

c. Respondent shall not falsify, misrepresent or make material omission of any information submitted pursuant to this Order.

d. Respondent shall notify the Bureau of Professional and Occupational Affairs, in writing, within five (5) days of the filing of any criminal charges against Respondent, the initiation of any legal action pertaining to Respondent's practice of the profession, the initiation, action, restriction or limitation relating to Respondent by a professional licensing authority of any state or jurisdiction or the Drug Enforcement Agency of the United States Department of Justice, including any action taken for violation of the terms of probation imposed in the Maryland disciplinary matter captioned *In the Matter of Alan R. Vinitzky, M.D., Respondent, License Number: D22180*, at Case Number 2016-

1026 B, or any investigation, action, restriction or limitation relating to Respondent's privileges to practice the profession at any health care facility.

e. Respondent shall notify the Bureau of Professional and Occupational Affairs by telephone within 48 hours and in writing within five (5) days of any change of Respondent's home address, phone number, employment status, employer and/or change in practice at a health care facility.

VIOLATION OF THIS ORDER

3. Notification of a violation of the terms or conditions of this Order shall result in **TERMINATION** of the period of probation, and **ACTIVATION** of an **INDEFINITE SUSPENSION** of Respondent's license(s) to practice the profession in the Commonwealth of Pennsylvania as follows:

a. The prosecuting attorney for the Commonwealth shall present to the Board's Probable Cause Screening Committee ("Committee") a Petition that indicates that Respondent has violated any terms or conditions of this Order.

b. Upon a probable cause determination by the Committee that Respondent has violated any of the terms or conditions of this Order, the Committee shall, without holding a formal hearing, issue a preliminary order vacating the stay of the within suspension, terminating this probation and activating the suspension of Respondent's license.

c. Respondent shall be notified of the Committee's preliminary order within three (3) business days of its issuance by certified mail and first class mail, postage prepaid, sent to the Respondent's last registered address on file with the Board, or by personal service if necessary.

d. Within twenty (20) days of mailing of the preliminary order, Respondent may submit a written answer to the Commonwealth's Petition and request that a formal hearing be held concerning Respondent's violation of probation, in which Respondent may seek relief from the preliminary order activating the suspension. Respondent shall mail the original answer and request for hearing to the Bureau of Professional and Occupational Affairs' Prothonotary, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105, shall mail a copy to the prosecuting attorney for the Commonwealth as the address set forth below, and shall do the same with all subsequent filings in the matter.

e. If the Respondent submits a timely answer and request for a formal hearing, the Board or a designated hearing examiner shall convene a formal hearing within forty-five (45) days from the date of the Prothonotary's receipt of Respondent's request for a formal hearing.

f. Respondent's submission of a timely answer and request for a hearing shall not stay the suspension of Respondent's license under the preliminary order. The suspension shall remain in effect unless the Board or the hearing examiner issues an order after the formal hearing staying the suspension again and reactivating the probation.

g. The facts and averments in this Order shall be deemed admitted and uncontested at this hearing.

h. If the Board or hearing examiner after the formal hearing makes a determination against Respondent, a final order will be issued sustaining the

suspension of Respondent's license and imposing any additional disciplinary measures deemed appropriate.

i. If Respondent fails to timely file an answer and request for a hearing, the Board, upon motion of the prosecuting attorney, shall issue a final order affirming the suspension of Respondent's license.

j. If Respondent does not make a timely answer and request for a formal hearing and a final order affirming the suspension is issued, or the Board or the hearing examiner makes a determination against Respondent sustaining the suspension of Respondent's license, after at least one (1) year of active suspension and any additional imposed discipline, Respondent may petition the Board for reinstatement upon verification that Respondent has complied with the Board's order, abided by and obeyed all laws of the United States, the Commonwealth of Pennsylvania and its political subdivisions, and all rules and regulations pertaining to the practice of the profession in this Commonwealth.

4. Respondent's failure to fully comply with any terms of this Order may also constitute grounds for additional disciplinary action.

5. Nothing in this Order shall preclude the prosecuting attorney for the Commonwealth from filing charges or the Board from imposing disciplinary or corrective measures for violations or facts not contained in this Order.

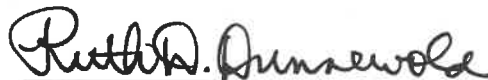
6. Upon the restoration of his Maryland license to active, nonprobationary status, Respondent may file with the Board a written petition for reinstatement of his Pennsylvania license active, nonprobationary status. Respondent shall include with his petition for

reinstatement original source documentation demonstrating that his license to practice medicine in Maryland has been reinstated to active, nonprobationary status.

7. At the Board's discretion, prior to reinstatement, Respondent may be required to prove at a formal hearing before the Board or its designee that his license in Maryland has been restored to active, nonprobationary status.

This Order shall take effect twenty (20) days from the date of mailing shown below, unless otherwise ordered by the State Board of Medicine.

BY ORDER:



Ruth D. Dunnewold
Hearing Examiner

For the Commonwealth:

Keith E. Bashore, Prosecuting Attorney
GOVERNOR'S OFFICE OF GENERAL COUNSEL
DEPARTMENT OF STATE OFFICE OF CHIEF COUNSEL
PROSECUTION DIVISION
P.O. Box 69521
Harrisburg, PA 17106-9521

For Respondent:

Alan R. Vinitsky, M.D.
2301 Research Blvd, Ste. 220
Rockville, MD 20850

Date of mailing:

July 10, 2019

NOTICE

(Medicine)

REHEARING AND/OR RECONSIDERATION

A party may file an application for rehearing or reconsideration **within 15 days of the mailing date** of this adjudication and order. The application must be captioned "*Application for Rehearing*", "*Application for Reconsideration*", or "*Application for Rehearing or Reconsideration*". It must state specifically and concisely, in numbered paragraphs, the grounds relied upon in seeking rehearing or reconsideration, including any alleged error in the adjudication. If the adjudication is sought to be vacated, reversed, or modified by reason of matters that have arisen since the hearing and decision, the matters relied upon by the petitioner must be set forth in the application.

APPEAL TO BOARD

An application to the State Board of Medicine for review of the hearing examiner's adjudication and order must be filed by a party **within 20 days of the date of mailing** of this adjudication and order. The application must be captioned "*Application for Review*". It must state specifically and concisely, in numbered paragraphs, the grounds relied upon in seeking the Board's review of the hearing examiner's decision, including any alleged error in the adjudication. Within an application for review a party may request that the Board hear additional argument and take additional evidence.

An application to the Board to review the hearing examiner's decision may be filed irrespective of whether an application for rehearing or reconsideration is filed. However, the filing of an application for rehearing and/or reconsideration does not extend, or in any other manner affect, the time period in which an application for review may be filed.

STAY OF HEARING EXAMINER'S ORDER

Neither the filing of an application for rehearing and/or reconsideration nor the filing of an application for review operates as a stay of the hearing examiner's order. To seek a stay of the hearing examiner's order, the party must file an application for stay directed to the Board.

FILING AND SERVICE

An original and three (3) copies of all applications shall be filed with:

Prothonotary
P.O. Box 2649
Harrisburg, PA 17105-2649

A copy of all applications must also be served on all parties.

Applications must be received for filing by the Prothonotary within the time limits specified. The date of receipt at the office of Prothonotary, and not the date of deposit in the mail, is determinative.

NOTICE

The attached Adjudication and Order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a Petition for Review with that Court within 30 days after the entry of the order in accordance with the Pennsylvania Rules of Appellate Procedure. See Chapter 15 of the Pennsylvania Rules of Appellate Procedure entitled "Judicial Review of Governmental Determinations," Pa. R.A.P 1501 – 1561. Please note: An order is entered on the date it is mailed. If you take an appeal to the Commonwealth Court, you must serve the Board with a copy of your Petition for Review. The agency contact for receiving service of such an appeal is:

Board Counsel
P.O. Box 69523
Harrisburg, PA 17106-9523

The name of the individual Board Counsel is identified on the Order page of the Adjudication and Order.