



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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### FINAL MINUTES FOR SUMMARY ACTION TELECONFERENCE MEETING

Held on Thursday, May 12, 2011

9545 E. Doubletree Ranch Road, Scottsdale, Arizona 85258

#### **Board Members**

Douglas D. Lee, M.D., Chair  
Paul M. Petelin Sr., M.D., Vice Chair  
Amy J. Schneider, M.D., F.A.C.O.G., Secretary  
Patricia R. J. Griffen, Member-at-Large  
Andrea E. Ibáñez  
Jody L. Jenkins, M.D.  
Gordi S. Khera, M.D.  
Ram R. Krishna, M.D.  
Germaine Proulx  
William J. Thrift, M.D.

#### **CALL TO ORDER**

Dr. Lee called the meeting to order at 12:03 p.m.

#### **ROLL CALL**

The following Board members participated telephonically: Ms. Ibáñez, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Petelin, Ms. Proulx, and Dr. Schneider. The following Board member was absent: Ms. Griffen. The following Board members phoned in late and did not participate in the Board's discussion, deliberations, and vote: Dr. Jenkins, and Dr. Thrift.

#### **CALL TO THE PUBLIC**

There were no individuals that addressed the Board during the call to the public.

| NO. | CASE NO.    | PHYSICIAN          | LIC. # | RESOLUTION   |
|-----|-------------|--------------------|--------|--|
| 1.  | MD-11-0573A | MELVYN MAHON, M.D. | 42434  | Summarily restrict Dr. Mahon's medical license to prohibit the practice of invasive/interventional cardiology, which will be defined by the hospital's restrictions of his privileges, based on an imminent danger to the public in terms of practicing interventional cardiology. |

Bhupendra Bhatheja, M.D., Medical Consultant, summarized that this case stemmed from the suspension of Dr. Mahon's invasive/interventional privileges at Havasu Regional Medical Center as a result of concerns regarding his technique/judgment when caring for cardiac patients. Dr. Bhatheja stated that deviations from the standard of care were identified in four of the patients' charts that were reviewed. A fifth patient's angiograms were not available for review. Dr. Mahon was found to have failed to risk stratify JN prior to cardiac catheterization, performed cardiac catheterization in a patient with continued anticoagulation, and elected not to close the arterial access site with a closure device with continued anticoagulation. Dr. Mahon diagnosed RK purely on the basis of an elevated Troponin when RK was clearly in congestive heart failure and had renal insufficiency without chest pain, he administered Integrilin without an indication of its use, he proceeded to perform cardiac catheterization in RK in the face of a negative angiogram, and failed to undertake an echocardiogram to evaluate left ventricular systolic function and structural issues. In the third case, Dr. Mahon failed to consider non-cardiac etiologies of KW's chest pain in spite of a negative work up for cardiac disease; he elected to take KW to the catheterization lab with an elevated INR; he entered KW's external iliac artery instead of the femoral artery in an anticoagulated patient; and he failed to immediately discontinue Integrilin and order other blood replacements once bleeding was identified. Dr. Mahon also failed to identify the source of bleeding and failed again to discontinue the Integrilin when he knew the site was bleeding. Additionally, Dr. Mahon failed to consider the diagnosis of pancreatitis as the etiology of chest pain in patient PC in absence of any objective evidence of cardiac origin. He ordered a CT of the chest in a patient with renal insufficiency, and failed to take measures to protect the kidneys when he ordered two studies with contrast. Dr. Mahon therapeutically anticoagulated PC with Lovenox even after the GI consultant recommended not to use Integrilin for therapeutic anticoagulation, he delayed the cardiac catheterization for several hours, and he failed to control PC's blood pressure during and at the end of the cardiac catheterization thus increasing the chances of access site bleeding.

Attorney William Philips was present on behalf of Dr. Mahon. Mr. Philips informed the Board that the hospital had misreported to the Board that Dr. Mahon's cardiology privileges had been summarily suspended on April 22, 2011. He explained that the hospital summarily suspended only a portion of Dr. Mahon's cardiac privileges. He stated that the hospital issued Dr. Mahon a letter advising him of the summary suspension and notified him that the Medical Executive Committee would be considering the matter within two weeks. Mr. Philips stated that at that time, he requested they not reconsider the matter until his firm could participate in representing Dr. Mahon. Mr. Philips pointed out that Dr. Mahon has been practicing medicine for approximately twenty-nine years, that he is three-time Board Certified in Internal Medicine, and that he has no prior disciplinary history of any kind. Mr. Philips reported that Dr. Mahon currently does not hold privileges at any facility other than Havasu Regional Medical Center. Mr. Philips stated that when his office received the Medical Consultant's (MC's) review of the patients' charts, he immediately contacted the Board's Legal Advisor to discuss a potential conflict of interest between his law firm and the MC. Jennifer Boucek, Assistant Attorney General, informed the Board that the MC was not aware of the law firm's involvement in representing Dr. Mahon when the matter was reviewed. Mr. Philips told the Board that Dr. Mahon has expressed a concern with the fact that the MC has not been Board Certified by any specialty board. In addition, Mr. Philips stated that if the Board were to adopt the reports and opinions generated by its MC, there has been no threat identified to the welfare of the public or patients. He stated that there is no basis to find that Dr. Mahon is an imminent danger requiring emergency relief.

Dr. Petelin questioned the status of Dr. Mahon's privileges at Havasu Regional Medical Center, as it was reported in the letter from Havasu Regional Medical Center dated April 22, 2011 that the Medical Executive Committee would be conducting an intense review within fourteen days from the date of the summary suspension. Lisa Wynn, Executive Director, informed the Board that the restriction of Dr. Mahon's hospital privileges remain in place. Dr. Petelin questioned whether there was any action pending at the hospital. Pat McSorley, Case Review Manager, stated that the Board has not received notification from Havasu Regional Medical Center regarding reinstatement of Dr. Mahon's privileges, and she pointed out to the Board that Mr. Philips had stated that a request was made for the Medical Executive Committee not reconsider the matter until Dr. Mahon's legal counsel was able to represent him.

**MOTION: Dr. Schneider moved to enter into Executive Session to receive legal advice.**

**SECONDED: Dr. Krishna**

**VOTE: 7-yay, 0-nay, 2-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

The Board entered into Executive Session at 12:37 p.m.

The Board returned to Open Session at 12:45 p.m.

No deliberations or discussions were made during Executive Session.

Dr. Khera stated that based on the information in the Board's possession at this time, he finds that Dr. Mahon poses an imminent danger to the public in terms of practicing interventional cardiology. Dr. Khera opined that Dr. Mahon has demonstrated poor judgment in carrying out several interventions, and that he has been risky and dangerous in how he has utilized several medications for cardiac intervention. Dr. Khera stated that Dr. Mahon has breached the standard of care in how the medications should be utilized, monitored, and the potential risks associated with their use. Dr. Khera recommended restricting Dr. Mahon by prohibiting him from performing invasive cardiology procedures until further notice from the Board.

**MOTION: Dr. Khera moved to summarily restrict Dr. Mahon from performing invasive cardiology procedures until further order of the Board, based on an imminent danger to the public in terms of practicing interventional cardiology.**

**SECONDED: Dr. Schneider**

Ms. Boucek informed the Board that the Order may be structured to mirror the Havasu Regional Medical Center's restrictions placed on Dr. Mahon's cardiology privileges. Drs. Khera and Schneider agreed to amend their motion.

**AMENDED MOTION: Dr. Khera moved to summarily restrict Dr. Mahon's medical license to prohibit the practice of invasive/interventional cardiology, which will be defined by the hospital's restrictions of his privileges, based on an imminent danger to the public in terms of practicing interventional cardiology.**

**SECONDED: Dr. Schneider**

Dr. Petelin questioned whether the case will be reconsidered if the hospital were to lift the restrictions on Dr. Mahon's privileges. Dr. Khera questioned whether there was an opportunity for Dr. Mahon to take remedial action in the interim. Ms. Boucek stated that the case will be referred to the Office of Administrative Hearing for a Formal Hearing and will be held within sixty days, pursuant to statute. Dr. Schneider stated that if the hospital reinstates all of Dr. Mahon's privileges, the Board's restriction will remain in effect. Dr. Lee spoke in favor of the motion and commented that the letter to the Board from Havasu Regional Medical Center was clear in its reporting of the summary suspension. Dr. Petelin spoke against the motion and stated that if it is the Board's intention to require that Dr. Mahon take remedial action, the current motion should include such a plan. Ms. Boucek advised the Board that because of the manner in which the case was agendized, statute only allowed for the Board to either restrict or suspend the license. She stated that the Board may instruct Board staff to further look into remedial measures that may be permitted. Dr. Khera recommended proceeding with the motion as it stands.

**ROLL CALL VOTE:** Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Ibáñez, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Petelin, Ms. Proulx, and Dr. Schneider. The following Board members were abstained from the vote: Drs. Jenkins and Thrift. The following Board member was absent: Ms. Griffen.

**VOTE:** 7-yay, 0-nay, 2-abstain, 0-recuse, 1-absent.

**MOTION PASSED.**

The meeting adjourned at 12:58 p.m.



A handwritten signature in cursive script, appearing to read "Lisa S. Wynn".

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Lisa S. Wynn, Executive Director