



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING Held on Wednesday, October 8, 2014 9535 E. Doubletree Ranch Road • Scottsdale, Arizona

Board Members

Gordi S. Khera, M.D., F.A.C.C., Chair

Richard T. Perry, M.D., Vice-Chair

Ram R. Krishna, M.D., Secretary

Jodi A. Bain, Esq.

Marc D. Berg, M.D.

Donna S. Brister

R. Screven Farmer, M.D.

Robert Fromm, M.D.

Paul S. Gerding, Esq.

James M. Gillard, M.S., M.D., F.A.C.E.P., F.A.A.E.M.

Edward Paul, M.D.

Wanda J. Salter, RN

GENERAL BUSINESS

A. CALL TO ORDER

Dr. Khera called the meeting to order at 12:01 p.m.

B. ROLL CALL

The following Board members participated telephonically: Dr. Khera, Dr. Perry, Dr. Krishna, Ms. Bain, Dr. Berg, Ms. Brister, Dr. Farmer, Mr. Gerding, Dr. Paul, and Dr. Gillard. The following Board member was absent: Dr. Fromm.

ALSO PRESENT

John Tellier, Assistant Attorney General (AAG), participated telephonically. The following staff were present: Rick Rice, AAG, Civil Division Chief Counsel; Carrie Smith, AAG; Mark Harris, AAG; Patricia McSorley, Interim Acting Executive Director; William Wolf, M.D., Chief Medical Consultant; Celina Shepherd, Licensing Office Manager; Raquel Rivera, Investigations Office Assistant Manager; Mary Bober, Board Operations Manager; Amanda Schwabe, Public Records/Board Coordinator; James Gentile, Chief Information Officer; and Andrea Cisneros, Staff Investigational Review Committee (SIRC) Coordinator.

C. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING IMPLEMENTATION OF FINGERPRINTING REQUIREMENTS PURSUANT TO A.R.S. §§ 32-1422(A)(12) AND 32-1430(E).

MOTION: Dr. Khera moved to enter into Executive Session pursuant to A.R.S. § 38-431.03(A)(3).

SECOND: Dr. Krishna

VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

The Board entered into Executive Session at 12:02 p.m.

The Board returned to Open Session at 12:48 p.m.

No legal action was taken by the Board during Executive Session.

MOTION: Dr. Farmer moved for the AMB to resume processing and issuing initial licenses effective immediately to otherwise qualified applicants with the following stipulations: require the applicant to sign a notarized attestation that there are no undisclosed criminal convictions in other states or countries; applicants are to submit a signed statement acknowledging that failure to disclose such information will result in discipline and/or revocation of licensure; additionally, Board staff is instructed to investigate other third party background check agencies, such as LexisNexis or UBS, and implement background checks through those avenues. Finally, applicants are to be notified that the issued license is subject to additional processing upon approval of the FBI criminal background checks.

SECOND: Dr. Khera

The Board discussed the motion, noting that the process will apply to the processing and issuing of initial licenses only. Board members also noted that once the FBI begins processing the fingerprint cards and the background checks are conducted, the license will be subject to further Board review.

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Berg, Ms. Brister, Dr. Farmer, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter. The following Board member abstained: Ms. Bain. The following Board member was absent: Dr. Fromm.

VOTE: 10-yay, 0-nay, 1-abstain, 0-recuse, 1-absent.

MOTION PASSED.

The Board thanked its legal team and Chairman for their efforts in addressing the issues that stem from the new fingerprint requirement.

MOTION: Dr. Farmer moved to instruct Board staff to continue to pursue with the FBI a legislative solution consistent with their concerns that will give the Board the authority and the FBI comfort to begin processing the federal background checks.

SECOND: Dr. Khera

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.

MOTION PASSED.

The Board instructed its staff to place a notice on its website with respect to the Board's action.

The meeting adjourned at 1:05 p.m.



Patricia E. McSorley
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Interim Acting Executive Director