



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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### FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING

Held on Thursday, July 9, 2015

9545 E. Doubletree Ranch Road • Scottsdale, Arizona

#### *Board Members*

Richard T. Perry, M.D., Chair  
James M. Gillard, M.S., M.D., F.A.C.E.P., F.A.A.E.M., Vice-Chair  
Jodi A. Bain, Esq., Secretary  
Marc D. Berg, M.D.  
Donna S. Brister  
R. Screven Farmer, M.D.  
Gary R. Figge, M.D.  
Robert E. Fromm, M.D., M.P.H.  
Paul S. Gerding, Esq.  
Lois E. Krahn, M.D.  
Edward G. Paul, M.D.  
Wanda J. Salter, RN

#### GENERAL BUSINESS

##### A. CALL TO ORDER

Dr. Perry called the meeting to order at 6:00 p.m.

##### B. ROLL CALL

The following Board members participated telephonically: Dr. Perry, Dr. Gillard, Dr. Berg, Ms. Brister, Dr. Farmer, Dr. Figge, Dr. Fromm, Mr. Gerding, Dr. Krahn, and Ms. Salter. The following Board members were absent: Ms. Bain and Dr. Paul were absent at time of roll call.

##### ALSO PRESENT

Patricia E. McSorley, Executive Director, participated telephonically. Present among Board staff include: Carrie Smith, Assistant Attorney General ("AAG"); Anita Shepherd, Investigations Office Manager; Twana Fairbourn, Licensing Office Manager; Mary Bober, Board Operations Manager; William Wolf, M.D., Chief Medical Consultant; and Andrea Cisneros, Staff Investigational Review Committee Coordinator.

##### C. CALL TO THE PUBLIC

Individuals that addressed the Board during the call to the public appear beneath the matter(s) referenced.

#### CONSENT AGENDA

##### D. LICENSE APPLICATIONS

###### i. APPROVE OR DENY LICENSE APPLICATION

**MOTION:** Dr. Farmer moved to approve the license application in item numbers 1, 2, 3, 5, 6, 7, 8, 9, 12, 13, 16, 17, 19, 20, 21, and 23.

**SECOND:** Dr. Krahn

**VOTE:** 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

**MOTION PASSED.**

1. CASE # MD-15-0778A, LINDA E. COPELAND, M.D. LIC. #N/A  
**RESOLUTION: Approve the license application.**
2. CASE # MD-15-0743A, UMAR IQBAL, M.D. LIC. #N/A  
**RESOLUTION: Approve the license application.**
3. CASE # MD-15-0780A, TONG LI, M.D. LIC. #N/A  
**RESOLUTION: Approve the license application.**
4. CASE # MD-15-0715A, CHRISTOPHER D. LECHEMINANT, M.D. LIC #N/A  
Board members observed that Dr. Lecheminant failed to disclose on his Texas license application that he received four bad progress reports during his residency program. Correspondence received by Board staff from the program director stated that Dr. Lecheminant would be a competent clinical anesthesiologist.

The Board noted that Dr. Lecheminant completed his Texas anesthesia residency in 2013. Dr. Gillard spoke in favor of approving the licensing application.

**MOTION: Dr. Gillard moved to issue the license.**

**SECOND: Dr. Fromm**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**

**MOTION PASSED.**

5. CASE # MD-15-0754A, STEVE L. MEEKS, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**
6. CASE # MD-15-0705A, SUBBARAYUDU KOPPERA, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**
7. CASE # MD-15-0704A, JESSICA L. STAHL, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**
8. CASE # MD-15-0702A, SILVIO D. MORALES, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**
9. CASE # MD-15-0546A, RICHARD LANOIX, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**
10. CASE # MD-15-0636A, LAWRENCE G. LAREAU, M.D. LIC #N/A  
The Board discussed the malpractice case reported on Dr. Lareau's license application. It was noted that Dr. Lareau is a radiologist who was among several physicians named in the lawsuit. Dr. Gillard pointed out that the Board's OB/GYN Medical Consultant reviewed the underlying case and opined that the ultimate diagnosis for this patient is typically made by an OB/GYN and not a radiologist. Dr. Gillard stated that he has no reservations in issuing the license.

**MOTION: Dr. Gillard moved to grant the license.**

**SECOND: Dr. Fromm**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**

**MOTION PASSED.**

11. CASE # MD-15-0637A, TRACI N. FITZHUGH, M.D. LIC #N/A  
Board members observed that Dr. Fitzhugh reported a single malpractice case on her license application that involved a ureteral injury sustained during the performance of a hysterectomy. The Board noted that several adhesions were identified during the procedure from previous endometriosis, and that ureteral injury is a well-known complication of total hysterectomy procedures. Several Board members spoke in favor of granting the license, noting that this was an isolated event.

**MOTION: Dr. Fromm moved to issue the license.**  
**SECOND: Ms. Salter**  
**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**  
**MOTION PASSED.**

12. CASE # MD-15-0655A, ARTOUR G. ASRIAN, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**

13. CASE # MD-15-0495A, DAVID J. HULL, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**

14. CASE # MD-15-0586A, AZHAR LATIF, M.D. LIC #N/A  
Dr. Gillard expressed concern regarding issues reported regarding Dr. Latif's pediatric fellowship. Specifically, correspondence submitted to the Board during the licensure process reported that Dr. Latif failed to take corrective criticism during his training and in his academics. It was noted that Dr. Latif is board certified in pediatrics and that he did complete his primary training.

Dr. Fromm stated that he struggles with these types of cases regarding physician graduates that experience academic difficulties during training in a program that may have been more challenging than medical school training. Dr. Fromm suggested that the Board consider creating a standardized process to evaluate applicants who have academic difficulties during their post graduate training.

**MOTION: Dr. Gillard moved to grant the license.**  
**SECOND: Dr. Fromm**

Mr. Gerding questioned whether the Board has the authority to invite an applicant for a formal interview or request that the applicant submit additional information for the Board's review. AAG Smith informed the Board may invite the applicant for interview to assist the Board in determining whether the requirements for licensure have been met. Dr. Gillard spoke in favor of granting the license.

**ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Perry, Dr. Gillard, Ms. Brister, Dr. Farmer, Dr. Figge, Dr. Fromm, Mr. Gerding, Dr. Krahn, and Ms. Salter. The following Board members were absent: Ms. Bain and Dr. Paul.**  
**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**  
**MOTION PASSED.**

15. CASE # MD-15-0562A, BRIAN L. RABIN, M.D. LIC #N/A  
Dr. Gillard questioned staff regarding Dr. Rabin's neuro residency. Ms. R. Shepherd informed the Board that some of the information disclosed by Dr. Rabin was in response to confidential questions. She reported that at this time there are no indications that there are any issues with Dr. Rabin's current training program. Dr. Gillard noted that Dr. Rabin currently holds an active Louisiana license.

**MOTION: Dr. Gillard moved to grant the license.**  
**SECOND: Ms. Brister**  
**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**  
**MOTION PASSED.**

16. CASE # MD-15-0497A, GARY R. SCHUSTER, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**

17. CASE # MD-15-0701A, BLAKE C. POLEYNARD, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**

18. CASE # MD-15-0834A, KRYSTAL T. BAKER, M.D. LIC #N/A  
Dr. Baker spoke telephonically during the call to the public. Dr. Gillard stated that in her call to public statement, Dr. Baker addressed his concerns regarding the reported HIPAA violation. Dr. Gillard spoke in favor of approving the license application.

**MOTION: Dr. Gillard moved to issue the license.**

**SECOND: Ms. Brister**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**

**MOTION PASSED.**

19. CASE # MD-15-0783A, ANTHONY M. SCIALDONE, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**

20. CASE # MD-15-0758A, MIGUEL ISAIAH SANDOVAL, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**

21. CASE # MD-15-0699A, BINAYA KHANAL, M.D. LIC #N/A  
**RESOLUTION: Approve the license application.**

22. CASE # MD-15-0700A, JORDY C. COX, M.D. LIC #N/A  
Dr. Fromm was recused from this case.

**MOTION: Dr. Perry moved to approve the license.**

**SECOND: Dr. Gillard**

**VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 2-absent.**

**MOTION PASSED.**

23. CASE # MD-15-0718A, NICKI D. RIPPETEAU, M.D. LIC #N/A  
Dr. Rippeteau spoke telephonically during the call to the public.

**RESOLUTION: Approve the license application.**

ii. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF PRIMARY SOURCE REQUIREMENT**

1. VESNA MICIC, M.D.

**RESOLUTION: Grant the applicant's request for waiver of the primary source requirement.**

2. THOMAS SEAY, M.D.

The Board discussed items 1 and 2 together. It was noted that one case involved the applicant's failure to obtain employment verification from the primary source, but did have an online source available for verification. Board members recognized that the applicant's requests for primary source verification went unanswered, and that Board staff reached out to the hospital and obtained the employment verification.

In the second case, concerning Dr. Seay's request for waiver, the Board observed that Dr. Seay does not have the ability to obtain primary source verification due to the fact that the hospital is closed. Board members noted that this is a common issue among applicants.

**MOTION: Dr. Gillard moved to grant the applicant's request for waiver of the primary source requirement in item numbers 1 and 2.**

**SECOND: Mr. Gerding**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**

**MOTION PASSED.**

AAG Smith informed the Board that both of the licensing applications are otherwise complete and that the licenses will be granted in the normal course of business. Dr. Gillard reported that the Board is in the process of amending its rules, and that permitting electronic primary source verification is being discussed in that forum. AAG Smith suggested review of the Texas Medical Board's verification form for hospitals that are closed.

**E. REVIEW AND DISCUSSION OF DRAFT REQUEST FOR EXEMPTION FROM RULEMAKING MORATORIUM REGARDING PROPOSED REVISIONS TO ARIZONA ADMINISTRATIVE CODE TITLE 4 PROFESSIONS AND OCCUPATIONS, CHAPTER 16 ARIZONA MEDICAL BOARD ARTICLE 1, ARTICLE 2 AND ARTICLE 5**

The Board discussed the proposed rule changes, and noted the adjustments made to R4-16-201 regarding board certification verification. Ms. McSorley reported that the change pertains to allowing the American Medical Association ("AMA") correspondence to satisfy the board certification verification requirement rather than having to receive the information directly from the American Board of Medical Specialties ("ABMS"). Dr. Gillard noted that this proposed change will cut down on the cost associated with processing a license application, and will be less burdensome on staff. Board members also noted the proposed change to licensure by endorsement. Ms. McSorley explained that licensure by endorsement is addressed in both statute and rule. She stated that the change will allow the statute and rule references to be consistent in relation to the Board's authority to require the passing of SPEX or ABMS certification.

Ms. McSorley further explained to the Board that the stakeholders' concerns and other issues that have been recently identified have been incorporated into the proposed rule changes. She stated that the changes and adjustments should lessen the impediments faced by the licensing staff and should aid in moving the licensing process forward in a timely manner.

**MOTION: Mr. Gerding moved for adjournment.**

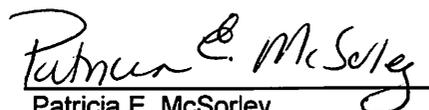
**SECOND: Dr. Krahn**

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.**

**MOTION PASSED.**

The meeting adjourned at 6:41 p.m.



  
Patricia E. McSorley  
Executive Director