



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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### FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING

Held on Thursday, January 12, 2017

9545 E. Doubletree Ranch Road • Scottsdale, Arizona

#### *Board Members*

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

R. Screven Farmer, M.D., Vice-Chair

Jodi A. Bain, Esq., Secretary

Marc D. Berg, M.D.

Teresa L. Connolly, D.N.P., R.N., N.E.A.-B.C.

Gary R. Figge, M.D.

Robert E. Fromm, M.D., M.P.H.

Pamela E. Jones

Lois E. Krahn, M.D.

Edward G. Paul, M.D.

Wanda J. Salter, R.N.

### GENERAL BUSINESS

#### A. CALL TO ORDER

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

#### B. ROLL CALL

The following Board members participated telephonically: Dr. Gillard, Dr. Farmer, Ms. Bain, Dr. Berg, Dr. Connolly, Dr. Figge, Ms. Jones, Dr. Paul and Ms. Salter.

The following Board members were absent: Dr. Krahn.

#### ALSO PRESENT

Present among Board staff include: Carrie Smith, Assistant Attorney General ("AAG"); Patricia E. McSorley, Executive Director; Kristina Fredericksen, Deputy Director; Kathleen Coffey, M.D., Internal Medical Consultant; Raquel Rivera, Investigations Manager; Mary Bober, Board Operations Manager; and Michelle Robles, Board Coordinator.

#### C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA

Individuals who addressed the Board during the Public Statements portion of the meeting appear beneath the matter(s) referenced.

### CONSENT AGENDA

#### D. CASES RECOMMENDED FOR DISMISSAL

**MOTION:** Ms. Bain moved to dismiss the pending investigation in item numbers 1 and 2.

**SECOND:** Dr. Farmer.

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

**MOTION PASSED.**

1. MD-16-0239B, THOMAS H. STRONG, M.D., LIC. #18689

Dr. Strong addressed the Board during the Public Statements portion of the meeting.

**RESOLUTION:** Dismiss.

2. MD-16-0273A, GERALD R. SHOCKEY, M.D., LIC. #20274

**RESOLUTION: Dismiss.**

**E. CASES RECOMMENDED FOR ADVISORY LETTERS**

**MOTION:** Ms. Salter moved to issue an Advisory Letter in item numbers 1, 8, 10, 11, 13-20, 23 and 25.

**SECOND:** Dr. Paul.

**VOTE:** 9-yay, 0-nay, 0-abstain, 0(1 Recusal in item 1)-recuse, 1-absent.

**MOTION PASSED.**

1. MD-16-1020A, TONY B. BORBOA, M.D., LIC. #33730  
Dr. Farmer recused from this case.

**RESOLUTION:** Issue an Advisory Letter for improper possession of controlled substances. There is insufficient evidence to support disciplinary action.

2. MD-15-0431A, GAREY S. SIMMONDS, M.D., LIC. #23958  
Dr. Simmonds addressed the Board during the Public Statements portion of the meeting.

Dr. Berg summarized that the MC found a medical records deviation for not including a note regarding surgery on the fourth digit however, Board staff did receive additional documentation from the physician stating he thought it had been documented.

**MOTION:** Dr. Berg moved to dismiss.

**SECOND:** Dr. Connolly.

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

**MOTION PASSED.**

3. MD-16-0615A, SYED Z. TAHIR, M.D., LIC. #19801  
Dr. Tahir and Attorney Scott King addressed the Board during the Public Statements portion of the meeting.

Dr. Farmer summarized that the issue in this case is that a fragment was left behind resulting in the need for a second procedure. The physician has a history with the Board of disciplinary action and Advisory Letters.

Board staff noted that the MC identified a deviation and that additional surgery could have resulted in patient harm.

Dr. Berg opined that this was a rare occurrence and that it does not rise to the level of discipline.

**MOTION:** Dr. Farmer moved to issue an Advisory Letter for failure to recognize a retained foreign body during surgery. The violation is a minor or technical violation that is not of sufficient merit to warrant disciplinary action.

**SECOND:** Dr. Paul.

Dr. Gillard found it mitigating that the resident completed the procedure however; the resident should be supervised by the physician.

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

**MOTION PASSED.**

4. MD-16-0572A, WILLIAM M. COCHRAN, M.D., LIC. #15469  
Dr. Farmer stated that he knows the physician but it would not affect his ability to adjudicate the case.

Board staff noted that SIRC reviewed the case and confirmed that the physician did not violate his current Board Order.

**MOTION:** Dr. Farmer moved to issue an Advisory Letter for failure to query the CSPMP for a patient on long term methadone treatment. The violation is a minor or technical violation that is not of sufficient merit to warrant disciplinary action.

**SECOND: Paul**  
**VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**  
**MOTION PASSED.**

5. MD-16-0478A, MD-16-0524A, DEREK LANDAN, M.D., LIC. #28634  
C.V. addressed the Board during the Public Statements portion of the meeting.

Ms. Jones noted that the physician had a prior Board case regarding the same issue of failing to inform a patient of procedure results and inquired if CME would be appropriate. Dr. Figge opined that this error may be due to electronic medical records and additional CME may not be necessary.

**MOTION: Ms. Jones moved to issue an Advisor Letter for failing to timely inform patients of procedure results. The violation is a minor or technical violation that is not of sufficient merit to warrant disciplinary action.**

**SECOND: Dr. Figge.**

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

**MOTION PASSED.**

6. MD-16-1253A, JOHN J. HOPKINS, M.D., LIC. #17116  
Dr. Farmer commented that this was an issue of a PA's delegation agreement being out of date due to a clerical error and that the physician has rectified the situation.

**MOTION: Dr. Farmer moved to dismiss.**

**SECOND: Ms. Salter.**

Dr. Farmer opined that this was an incidental finding and that this issue occurs frequently. Dr. Gillard agreed with the motion and noted that physicians typically rely on office staff to keep delegation agreements up to date.

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

**MOTION PASSED.**

7. MD-16-0601A, VIJENDRA SWARUP, M.D., LIC. #30467  
Dr. Swarup and Attorney Plattner addressed the Board during the Public Statements portion of the meeting.

Dr. Berg noted the MC found a standard of care deviation for recommending a invasive cardiac procedure in an asymptomatic patient. Dr. Berg found it mitigating that the physician offered other treatment options that the patient declined.

**MOTION: Dr. Berg moved to dismiss.**

**SECOND: Dr. Farmer.**

Dr. Farmer opined that this was a complex case and that it is easy to second guess in hindsight. Dr. Gillard noted that a second procedure was not scheduled and that the patient went to another physician for a second opinion. Board staff commented that a letter of support stated that Dr. Swarup's recommendations and treatment were appropriate and reasonable. Dr. Paul noted that the accusations of the falsification of records were not upheld during the investigation.

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

**MOTION PASSED.**

8. MD-16-0841A, FRANCIS J. WOO, M.D., LIC. #10705  
**RESOLUTION: Issue an Advisory Letter for failing to perform an adequate evaluation and counselling to a patient with depressive symptoms for which the physician is continuing an antidepressant or starting a new antidepressant, for inadequate medical records, and for inadequate supervision of staff. There is insufficient evidence to support disciplinary action.**

9. MD-16-0473A, RICHARD J. BROWN, M.D., LIC. #41234

Ms. Jones noted that the physician has had no prior Board history. The physician utilized silicone instead of saline implants. Once he recognized his mistake the physician made a partial refund and offered a corrective surgery at no charge. Dr. Gillard noted no harm came to the patient.

**MOTION: Ms. Jones moved to dismiss.**

**SECOND: Ms. Salter.**

Board staff confirmed that the patient was reimbursed for the implants.

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

**MOTION PASSED.**

10. MD-16-0580A, ANOOP K. SHARMA, M.D., LIC. #31387

**RESOLUTION: Issue an Advisory Letter for prescribing ciprofloxacin and pyridium in the incorrect dosages for a patient with renal dysfunction. There is insufficient evidence to support disciplinary action.**

11. MD-16-0577A, HAL B. WILSON, M.D., LIC. #22876

**RESOLUTION: Issue an Advisory Letter for prescription of cyclobenzaprine to a patient with a cardiac arrhythmia. There is insufficient evidence to support disciplinary action.**

12. MD-16-0807A, MICHAEL M. HENRY, M.D., LIC. #32746

Dr. Gillard summarized that the complaint alleged that the physician was rude and that the physician did not wash his hands, which the MC stated that this could have been done in another room. Dr. Gillard noted that the MC's did identify a concern regarding the medical records.

Board staff noted that the records contained inaccurate notes. The MC also opined that a diagnosis of viral syndrome should not be made in a 22 month-old child presenting with fever, abdominal pain and fussiness in the absence of URI symptoms. The MC stated that other etiologies should have been ruled out. Board staff confirmed that there was no patient harm.

Dr. Gillard noted that there was no error in diagnosis and a throat culture was completed. Dr. Berg opined the issue is diagnosing a viral illness without documented signs. Dr. Paul opined that the complaint is more behavioral than patient care.

**MOTION: Dr. Berg moved to issue an Advisory Letter for inadequate medical records and for failure to complete a thorough work-up in a 22-month old with fever, fussiness and abdominal pain. There is insufficient evidence to support disciplinary action.**

**SECOND: Dr. Paul.**

Dr. Gillard agreed that documentation could have been better.

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

**MOTION PASSED.**

13. MD-16-0358A, KERI M. SWEETEN, M.D., LIC. #23505

**RESOLUTION: Issue an Advisory Letter for failing to perform a Pap smear and pelvic exam prior to performing surgery. There is insufficient evidence to support disciplinary action.**

14. MD-16-0344A, EDWARD M. REECE, M.D., LIC. #41411

**RESOLUTION: Issue an Advisory Letter for failing to schedule follow up for second K-wire removal from distal phalanx and for failing to obtain postoperative x-rays. There is insufficient evidence to support disciplinary action.**

15. MD-16-0997A, JAMES R. LOEB, M.D., LIC. #30709

**RESOLUTION: Issue an Advisory Letter for action taken by the State of Washington. There is insufficient evidence to support disciplinary action.**

16. MD-16-0436A, ALAN B. STONE, M.D., LIC. #47117  
**RESOLUTION:** Issue an Advisory Letter for failing to identify a splenic injury on CT scan and for failing to express the suboptimal quality of the scan in the Impression section of his report. There is insufficient evidence to support disciplinary action.
17. MD-16-0164A, ERIC N. NOVACK, M.D., LIC. #29419  
T.M. addressed the Board during the Public Statements portion of the meeting.  
**RESOLUTION:** Issue an Advisory Letter for inadequate informed consent and inadequate discharge instructions. There is insufficient evidence to support disciplinary action.
18. MD-15-1270A, CASEY L. HUSTON, M.D., LIC. #19593  
**RESOLUTION:** Issue an Advisory Letter for failing to convert to an open thoracotomy in the setting of significant intrapleural hemorrhage requiring transfusion and for failing to send decorticated pleural tissue for histopathology. There is insufficient evidence to support disciplinary action.
19. MD-15-1263A, ROHIT V. MAHAJANI, M.D., LIC. #31995  
**RESOLUTION:** Issue an Advisory Letter for failing to order a biopsy on a patient with Hepatitis C, an elevated Alpha fetoprotein and liver lesions on an MRI. There is insufficient evidence to support disciplinary action.
20. MD-16-0491A, ROBIN S. BRANCH, M.D., LIC. #46975  
**RESOLUTION:** Issue an Advisory Letter for failure to timely report a DUI charge to the Board. There is insufficient evidence to support disciplinary action.
21. MD-16-0248A, BRENDA L. SIPES, M.D., LIC. #24009  
Board staff commented that this case was a onetime oversight and that the MC suggested the physician undergo remedial training on hip dysplasia.  
**MOTION:** Ms. Jones moved to issue an Advisory Letter for failure to make the diagnosis of hip subluxation in a pediatric patient. There is insufficient evidence to support disciplinary action.  
**SECOND:** Dr. Paul.  
**VOTE:** 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
**MOTION PASSED.**
22. MD-16-0737A, PAUL M. BLOCK, M.D., LIC. #13694  
Dr. Block addressed the Board during the Public Statements portion of the meeting.  
  
Dr. Berg opined that there was no malicious intent on the physician's part when he performed a sports physical and noted there was a suggestion that the complaint was motivated by an interpersonal dispute. Dr. Paul noted there was no patient harm. Dr. Gillard commented that people in training are observed by their supervising physician.  
  
Board staff noted that during the investigation the physician originally stated that his trainee performed the exam.  
  
Dr. Gillard noted that the new telemedicine statutes state that a physician complete a physical exam by observation.  
**MOTION:** Dr. Berg moved to dismiss.  
**SECOND:** Dr. Paul.  
**VOTE:** 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
**MOTION PASSED.**
23. MD-16-0600A, PATRICK D. BRADY, M.D., LIC. #45998

**RESOLUTION:** Issue an Advisory Letter for action taken by the State of Alaska. While the licensee has demonstrated substantial compliance through remediation that has mitigated the need for disciplinary action, the Board believes that repetition of the activities that led to the investigation may result in further Board action against the licensee.

24. MD-16-0129A, LISA E. MCMAHON, M.D., LIC. #30535

Dr. McMahon and Attorney Steve Myers addressed the Board during the Public Statements portion of the meeting.

Dr. Berg summarized that the patient had surgery and then developed a staph infection. The MC felt a culture should have been completed after the surgery. After a secondary review the MC identified mitigating factors.

**MOTION:** Dr. Berg moved to dismiss.

**SECOND:** Dr. Paul.

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

**MOTION PASSED.**

25. MD-15-1242A, AMBUGA R. BADARI, M.D., LIC. 47159

**RESOLUTION:** Issue an Advisory Letter for inadequate medical records, including inadequate consent regarding treatment with WinRho. There is insufficient evidence to support disciplinary action.

**F. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDERS**

**MOTION:** Dr. Paul moved to issue an Advisory Letter and Order for Non-Disciplinary CME in item numbers 2, 3 and 6.

**SECOND:** Dr. Figge.

**VOTE:** 9-yay, 0-nay, 0-abstain, 0 (1 Recusal in item 3)-recuse, 1-absent.

**MOTION PASSED.**

1. MD-16-0560A, RAMIRO GUILLEN, M.D., LIC. #31653

Dr. Guillen and Attorney Steve Myers addressed the Board during the Public Statements portion of the meeting.

Dr. Farmer commented that he disagreed with multiple standards of care articulated by the MC. The MC stated that a drug screen should be done for patients who take steroids but Dr. Farmer stated that this is best left to the physician's clinical judgment. Dr. Farmer noted that this physician took on a difficult patient and although he does not agree with all the prescribed medications the physician justified his treatment in the medical records. Dr. Farmer opined there are multiple mitigating factors. Dr. Berg agreed that the physician attempted to monitor the patient in a conscientious manner.

**MOTION:** Dr. Farmer moved to dismiss.

**SECOND:** Dr. Paul.

Dr. Gillard noted that the MC found no serious deviation of care.

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

**MOTION PASSED.**

2. MD-16-0188A, ABDULKADIR A. HOURANI, M.D., LIC. #25270

Dr. Hourani and Attorney Patrick White addressed the Board during the Public Statements portion of the meeting.

**RESOLUTION:** Issue an Advisory Letter and Order for Non-Disciplinary CME for improper corticosteroid administration in a patient with strongyloides infection, and for inadequate medical records. There is insufficient evidence to support disciplinary action. Within six months, complete a minimum of 7 hours of CME in the use of systemic corticosteroids. At least 2 of the 7 hours shall address the use

of systemic steroids in the presence of strongyloides infection. The CME hours shall be in addition to the hours required for license renewal.

3. MD-15-1298A, ARIO B. KIARASH, M.D., LIC. #27353

Dr. Farmer recused from this case. Dr. Figge stated that knows the physician but it would not affect his ability to adjudicate the case.

**RESOLUTION:** Issue an Advisory Letter and Order for Non-Disciplinary CME for failure to obtain appropriate consent for procedures performed, for performing unnecessary testing, and for inadequate medical records. There is insufficient evidence to support disciplinary action. Within twelve months, Dr. Kiarash shall enroll in and successfully complete ProBE; and complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

4. MD-15-0552A, SANJEEV KHURANA, M.D., LIC. #35045

K.M., M.H. and S.C addressed the Board during the Public Statements portion of the meeting.

Dr. Berg commented that this was a difficult case of a patient with Krohn's disease where there was a terrible outcome. Dr. Berg opined that this is an issue of ethics. Dr. Paul expressed concern regarding the continuity of care for this patient. Dr. Figge opined that if a physician states they will see a patient they are ethically bound to do so.

Board staff confirmed that the physician initially agreed to see the patient for a consult until he was informed that the patient was not insured. Board staff confirmed that the physician was an active staff member but is unsure if he was on call. The physician stated he was not on call.

**MOTION:** Dr. Berg moved for the Board to return the case to offer the physician a Consent Agreement for a Letter of Reprimand and Probation for 10 hours of CME in ethics. If they decline, invite for a Formal Interview.

**SECOND:** Dr. Figge.

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

**MOTION PASSED.**

5. MD-16-0022A, SEANA K. DALY, M.D., LIC. #49830

On behalf of the physician, Attorney Robert Stultz addressed the Board during the Public Statements portion of the meeting. Dr. Figge stated that he knows of the physician but it would not affect his ability to adjudicate the case.

Dr. Figge commented that this was a difficult case with a noncompliant patient who had multiple financial and transportation issues. The physician acknowledged that her records could have been better. Dr. Figge opined there is no benefit of CME as there was no violation for inadequate management of controlled substances. Board members noted that the physician developed a drug agreement that the patient signed and when the patient did not adhere to the agreement the physician had the patient sign a second agreement.

Board staff confirmed the patient died of a suspected drug overdose however, there was no autopsy done to confirm and that the patient suffered from comorbidities.

**MOTION:** Dr. Figge moved to dismiss.

**SECOND:** Ms. Jones.

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

**MOTION PASSED.**

6. MD-15-0995A, ABEDON A. SAIZ, M.D., LIC. #24387

On behalf of the physician, Attorney Cody Hall addressed the Board during the Public Statements portion of the meeting.

**RESOLUTION:** Issue an Advisory Letter and Order for Non-Disciplinary CME for inadequate medical records. There is insufficient evidence to support disciplinary action. Within six months, complete no less than 15 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

## **G. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS**

**MOTION:** Dr. Paul moved to uphold the dismissal in item numbers 3, 4 and 5.

**SECOND:** Ms. Salter.

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

**MOTION PASSED.**

1. MD-16-0454A, ROXANNE E. G. ORR, M.D., LIC. #40755

Dr. Orr addressed the Board during the Public Statements portion of the meeting. D.M. and A.M. addressed the Boar during the Public Statements portion of the meeting.

Board members expressed compassion for the family in this difficult situation. Dr. Farmer summarized that this patient suffered from a complicated series of events where multiple specialties were involved and no one physician was in charge of communicating with the family. Dr. Farmer opined there was a slight issue with medical records in that there was no clear note for what the sequence of events were during the MRI, however it is normal for a MRI to be completed in this case. Dr. Gillard noted that Lupus affects all the organs and in this case the disease was severe. Dr. Gillard opined that the physicians' management of care was appropriate but agreed that the communication could have been better.

Ms. Salter found it mitigating that Dr. Orr offered to meet with the patients to discuss what occurred.

**MOTION:** Dr. Farmer moved to uphold the dismissal.

**SECOND:** Ms. Jones

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

**MOTION PASSED.**

2. MD-16-0454B, KALEO C. EDE, M.D., LIC. #37734

On behalf of the physician, Attorney Evan Coppola addressed the Board during the Public Statements portion of the meeting. D.M. and A.M. addressed the Boar during the Public Statements portion of the meeting.

Board members expressed compassion for the family in this difficult situation. Dr. Farmer summarized that this patient suffered from a complicated series of events where multiple specialties were involved and no one physician was in charge of communicating with the family. Dr. Farmer opined there was a slight issue with medical records in that there was no clear note for what the sequence of events were during the MRI, however it is normal for a MRI to be completed in this case. Dr. Gillard noted that Lupus affects all the organs and in this case the disease was severe. Dr. Gillard opined that the physicians' management of the patient was appropriate but agreed that the communication could have been better.

**MOTION:** Dr. Farmer moved to uphold the dismissal.

**SECOND:** Ms. Jones

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

**MOTION PASSED.**

3. MD-16-1008A, GERALD MUTHU, M.D., LIC. #25612

N.F. addressed the Board during the Public Statements portion of the meeting.



**RESOLUTION: Uphold the dismissal.**

4. MD-16-0485A, STEPHEN J. GRAHAM, M.D., LIC. #19987

**RESOLUTION: Uphold the dismissal.**

5. MD-16-0466A, DANIEL J. KLEMMEDSON, M.D., LIC. #16321

Dr. Klemmedson and Attorney Chris Smith addressed the Board during the Public Statements portion of the meeting. S.M. addressed the Board during the Public Statements portion of the meeting.

**RESOLUTION: Uphold the dismissal.**

## **H. LICENSE APPLICATIONS**

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

1. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.

2. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.

3. MD-15-1410A, RICARDO GARCIA-RIVERA, M.D., LIC. #N/A

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

**SECOND: Dr. Paul.**

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

**MOTION PASSED.**

### **ii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSURE BY ENDORSEMENT PURSUANT TO A.R.S. § 32-1426(B) AND R4-16-201(F)**

#### **a. ADMINISTRATIVELY COMPLETE**

1. HOWARD C. LEWIN, M.D.

Dr. Gillard summarized that the physician allowed his Boards to expired, however, holds multiple licenses with no discipline and had a previous Arizona license that expired.

**MOTION: Dr. Paul moved to grant licensure by endorsement.**

**SECOND: Dr. Farmer.**

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

**MOTION PASSED.**

#### **b. ADMINISTRATIVELY INCOMPLETE**

1. THIS ITEM HAS BEEN PULLED FROM THE AGENDA.

### **iii. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF DOCUMENTATION REQUIREMENT**

1. ANDREW S. POMRANTZ, M.D.

Dr. Gillard summarized that the physician has a lifetime Board in Pediatrics, has two licenses with no disciplinary action and that Dr. Pomrantz is unable to get a letterhead from a hospital that has been closed.

**MOTION: Dr. Farmer moved to grant the request for waiver of documentation requirement.**

**SECOND: Ms. Jones.**

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

**MOTION PASSED.**

## **ACTION ON CASE(S)**

### **I. APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

1. MD-14-1411A, BILL D. HOLLOMAN, M.D., LIC. #33572

Dr. Holloman addressed the Board during the Public Statements portion of the meeting. Dr. Figge was recused.

Dr. Gillard summarized that the physician was interviewed at the December meeting regarding several cases where hypercalcemia was not addressed. The Board voted for Probation and for a competency evaluation to be completed.

**MOTION:** Dr. Berg moved to approve the Draft Findings of Fact, Conclusions of Law and Order.

**SECOND:** Dr. Farmer.

**ROLL CALL VOTE:** Roll call vote was taken and the following Board members voted in favor of the motion: Ms. Salter, Dr. Paul, Ms. Jones, Dr. Connolly, Dr. Berg, Ms. Bain, Dr. Farmer and Dr. Gillard. The following Board member recused: Dr. Figge. The following Board member was absent: Dr. Krahn.

**VOTE:** 8-yay, 0-nay, 0-abstain, 1-recuse, 1-absent.

**MOTION PASSED.**

## **OTHER BUSINESS**

### **J. REVIEW AND APPROVAL OF THE EXECUTIVE DIRECTOR'S PERFORMANCE LETTER TO ADOA**

Dr. Gillard noted that in December the Board voted to give Ms. McSorley a raise and that a letter signed by both Dr. Gillard and Hoffa must be approved for submission to ADOA.

**MOTION:** Dr. Farmer moved to approve the Executive Director's performance letter to ADOA.

**SECOND:** Ms. Salter.

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

**MOTION PASSED.**

### **K. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION OR RECOMMENDATION REGARDING CONTINUING MEDICAL EDUCATION REQUIREMENTS**

Dr. Farmer noted that in order to bring attention to the opioid epidemic the Governor has requested that one unit of the CME requirement be spent on opioid prescribing. Dr. Farmer opined the Board should support this request and expressed a need to find a mechanism of allowing this. There is a meeting between Ms. McSorley and the Board's Executive Officers to discuss an appropriate route, whether through a change to statute or rule.

Board members discussed giving the Executive Director permission to work with the Executive Officers to work on the appropriate route to accomplish this recommendation by the Governor. Board members also discussed the mechanism for how this requirement would be regulated.

**MOTION:** Dr. Farmer moved to empower the Executive Officers and the Executive Director to work with the Governor's office to clarify language and implement a legislative or rule change.

**SECOND:** Dr. Paul.

Dr. Figge requested that the discussion between the Executive Director and the Governor's office clarify what the Governor's intent is.

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

**MOTION PASSED.**

**L. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION OR RECOMMENDATION REGARDING THE PROCESSING OF FINGERPRINTS FOR APPLICANTS FOR AN INTERSTATE MEDICAL COMPACT LICENSE**

Ms. McSorley summarized that during the last legislative session the Interstate Medical Compact was adopted. Ms. McSorley requested that the Board allow her to work with the Executive Officers to address any concerns that the FBI may have throughout legislation. The FBI is currently reviewing the draft revisions in statute regarding fingerprint practices to see if they meet their requirements.

**MOTION:** Ms. Jones moved to empower the Executive Director to work with the Executive Officers to address any concerns the FBI has through legislation.

**SECOND:** Dr. Figge.

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

**MOTION PASSED.**

**M. GENERAL CALL TO THE PUBLIC**

No individuals addressed the Board during the General Call to the Public.

**MOTION:** Ms. Salter moved to adjourn the meeting.


**SECOND:** Dr. Paul.

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

**MOTION PASSED.**

The meeting adjourned at 9:15 p.m.



  
Patricia E. McSorley, Executive Director