



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

Home Page: <http://www.azmd.gov>

Telephone (480) 551-2700 • Fax (480) 551-2705 • In-State Toll Free (877) 255-2212

### **AGENDA FOR REGULAR SESSION MEETING Scheduled to begin at 8:00 a.m. on Wednesday, December 11, 2013 9535 E. Doubletree Ranch Road • Scottsdale, Arizona**

Notice is hereby given to the general public and to the members of the Arizona Medical Board (Board), that the Board will hold a regular meeting open to the public at the Board's offices located at 9535 East Doubletree Ranch Road, Scottsdale, Arizona. A.R.S. § 38-431.02. The Board, upon a majority vote of a quorum of the members, may hold an *Executive Session* on any of the listed agenda items to discuss or consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law or to obtain legal advice. A.R.S. § 38-431.03(A)(2) and (3). Those wishing to address the Board need not request permission in advance; however, the Board may limit those persons speaking during the "Call to the Public" at three (3) per side on any one issue. A.R.S. § 38-431.01(H). The Board can only take action on matters listed on the agenda and other matters related thereto. A.R.S. § 38-431.02(H). If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date. A.R.S. § 38-4301.01(H).

The Board reserves the right to change the order of items on the agenda, except for matters set for a specific time. The formal interviews are scheduled to be heard during specific time blocks. However, the Chairman of the Board reserves the right to call cases in random order. Please note that the recommendations listed on the agenda are merely suggested Board actions. These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed in the agenda.

Americans with Disabilities Act: Person with disabilities may request reasonable accommodations by contacting Evangeline Webster at (480) 551-2714. Requests should be made as early as possible to allow time to arrange the accommodation.

#### **THE BOARD WILL CONSIDER, DISCUSS AND MAY TAKE ACTION ON ANY AGENDA ITEM**

##### ***Board Members***

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

Jody L. Jenkins, M.D., Vice Chair

Harold Magalnick, M.D., Secretary

Andrea E. Ibáñez, Member At Large

Jodi A. Bain, Esq.

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

Ram R. Krishna, M.D.

Douglas D. Lee, M.D.

Richard T. Perry, M.D.

Wanda J. Salter, RN

William J. Thrift, M.D.

If you need to speak to a member of Board staff regarding agenda items, please contact the Board Coordinator at (480) 551-2712.

**Wednesday, December 11, 2013**

**CALL TO ORDER – 8:00 a.m.**

Gordi S. Khera, M.D., Chair

**ROLL CALL**

Harold Magalnick, M.D., Secretary

**FORMAL HEARING MATTERS (Scheduled to begin at 8:00 a.m.)**

**CONSIDERATION OF AND VOTE ON PROPOSED BOARD ORDER ARISING FROM ADMINISTRATIVE LAW JUDGE (ALJ) RECOMMENDED DECISION**

*The Board may only consider the official record when adjudicating a Formal Hearing Matter; therefore, the Board cannot consider new testimony or evidence at this time.*

1. MD-13-0149A, VERNON L. JOHNSON, M.D., LIC. #N/A
2. MD-12-1006A, REYNALDO A. DE LOS ANGELES, M.D., LIC. #12231

**LEGAL MATTERS (Scheduled to begin at 8:00 a.m.)**

**CONSIDER RESCINDING REFERRAL TO FORMAL HEARING AND LICENSE DENIAL TO PERMIT LICENSE APPLICATION WITHDRAWAL**

1. MD-13-0443A, SURBHI JAIN, M.D., LIC. #N/A

**CALL TO THE PUBLIC – 8:05 a.m.**

**DISCUSSION AND APPROVAL OF ARTICLE 5 FIVE-YEAR REVIEW REPORT SUBMISSION (Scheduled to begin at 9:30 a.m.)**

Kathleen Phillips, Rule Writer

**DISCUSSION AND APPROVAL OF LICENSING AUDIT AND BIDDING PROCESS (Scheduled to begin at 10:45 a.m.)**

Celina Shepherd, Licensing Manager  
Dale Chapman, Performance Audit Director  
Derek Barber, Auditor

**FORMAL INTERVIEW (Scheduled to begin at 10:15 a.m.)**

1. THIS MATTER HAS BEEN MOVED TO OTHER BUSINESS ITEM #2

**CONSIDERATION AND DISCUSSION OF NOTICES OF CLAIM FILED AGAINST THE BOARD ON OR ABOUT NOVEMBER 19, 2013 (Scheduled to begin at 11:00 a.m.)**

*The Board, upon a majority vote of a quorum of the members, may hold an Executive Session for discussion or consultation for legal advice. A.R.S. § 38-431.03(A)(3)*

**NON-TIME SPECIFIC ITEMS (The Board may choose to discuss these items at any time.)**

**Executive Director's Report**

Patricia E. McSorley, Interim Acting Executive Director

**Chair's Report**

Gordi S. Khera, M.D., Chair

**Legal Advisor's Report**

Jennifer Boucek, Assistant Attorney General

**Physician Health Program**

Patricia E. McSorley, Interim Acting Executive Director

**Consideration of Request for Letter from Board to Retake USMLE – Rachel Schacht, M.D.**

Jennifer Boucek, Assistant Attorney General

**Discussion and Direction Regarding Public Records Laws' Application to Records Created On or By Personal Communication Devices**

Jennifer Boucek, Assistant Attorney General

**Consideration and Approval of Board Policy Regarding Federation Credentials Verification Service (FCVS) Packets**

Jennifer Boucek, Assistant Attorney General

**Approval of Minutes**

October 2, 2013 Regular Session Meeting

October 2, 2013 Special Meeting

October 12, 2013 Special Teleconference Meeting

October 18, 2013 Special Teleconference Meeting

October 28, 2013 Special Teleconference Meeting

November 8, 2013 Emergency Teleconference Meeting

November 21, 2013 Special Teleconference Meeting

**ADVISORY LETTERS (Non-Disciplinary)**

1. MD-13-0715A, SIMRANJIT S. GALHOTRA, M.D., LIC. #27506  
Staff: Ms. Steger, Dr. Coffey
2. MD-13-0744A, TIMOTHY C. SAPP, M.D., LIC. #30780  
Staff: Ms. Rivera, Dr. Coffey
3. MD-13-0293A, DENNIS J. FOLEY, M.D., LIC. #32012  
Staff: Ms. A. Shepherd, Dr. Haas
4. MD-12-1497A, PEGGY SHAFAGHI, M.D., LIC. #42141  
Staff: Ms. Young, Dr. Mattalino
5. MD-12-1497B, LOUIS P. VU, M.D., LIC. #25183  
Staff: Ms. Young, Dr. Mattalino
6. MD-13-0313A, RONNEY L. FERGUSON, M.D., LIC. #28951  
Staff: Ms. A. Shepherd, Dr. Mattalino
7. MD-13-0025A, YOON M. HONG, M.D., LIC. #41210  
Staff: Ms. Downey, Dr. Caruso
8. MD-13-0277A, PARUL AGARWAL, M.D., LIC. #44847  
Staff: Ms. A. Shepherd, Dr. Coffey
9. MD-13-0227A, MELISSA K. LINNEN, M.D., LIC. #36066  
Staff: Ms. A. Shepherd, Dr. Mattalino
10. MD-13-0274B, DANA M. KOSMALA-RUNKLE, M.D., LIC. #42148  
Staff: Ms. A. Shepherd, Dr. Sosnowski
11. MD-13-0578A, SUSAN J. DAVIES, M.D., LIC. #25210  
Staff: Ms. Steger, Dr. Sosnowski
12. MD-13-0583A, RICHARD A. CARDONE, M.D., LIC. #26223  
Staff: Ms. Steger
13. MD-13-0422A, NEERAJ K. VIJ, M.D., LIC. #29678  
Staff: Ms. Young, Dr. Wolf
14. MD-12-1474A, HARINDER K. TAKYAR, M.D., LIC. #34308  
Staff: Ms. Steger
15. MD-13-0444A, YOON M. HONG, M.D., LIC. #41210  
Staff: Ms. Young, Dr. Caruso
16. MD-12-1268A, ALAN P. KAZAN, M.D., LIC. #10092  
Staff: Ms. Steger, Dr. Peairs

### **ADVISORY LETTERS (Non-Disciplinary)**

17. MD-13-0737A, GWYNN R. PATTERSON, M.D., LIC. #14904  
Staff: Ms. R. Shepherd, Dr. Haas
18. MD-12-1361A, MARY-HELENE BROWN, M.D., LIC. #15293  
Staff: Ms. Steger, Dr. Haas
19. MD-13-0597A, JEANETTE A. CRUZ, M.D., LIC. #42393  
Staff: Ms. Rivera, Dr. Sosnowski
20. MD-13-0458A, CRAIG W. TOLLESON, M.D., LIC. #36928  
Staff: Ms. Steger, Dr. Coffey
21. MD-13-0565A, ARULASANAM P. KALANITHI, M.D., LIC. #16387  
Staff: Ms. A. Shepherd, Dr. Coffey
22. MD-13-0041A, JOHN P. ELLIOTT, M.D., LIC. #13923  
Staff: Ms. A. Shepherd, Dr. Wolf
23. MD-13-0723A, GREGORY M. CREVER, M.D., LIC. #32026  
Staff: Ms. Rivera
24. MD-13-0787A, TONG LI, M.D., LIC. #27967  
Staff: Ms. Rivera, Dr. Caruso
25. MD-13-0787B, JOSE L. ROBLEDO, M.D., LIC. #13386  
Staff: Ms. Rivera, Dr. Caruso

### **NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION (CME) ORDER**

1. MD-13-0467A, PATRICK L. FLYTE, M.D., LIC. #31870  
Staff: Ms. A. Shepherd, Dr. Sosnowski

### **ADVISORY LETTERS WITH NON-DISCIPLINARY CME ORDER**

1. MD-12-1010A, GREGORY L. ELLISON, M.D., LIC. #12426  
Staff: Ms. A. Shepherd, Dr. Peairs
2. MD-13-0347A, ROBERT G. ZENNER, M.D., LIC. #18691  
Staff: Ms. Steger, Dr. Coffey

### **REVIEW OF EXECUTIVE DIRECTOR DISMISSALS**

1. MD-13-0352A, BEATRIZ A. MATEUS, M.D., LIC. #33802  
Staff: Ms. Downey
2. MD-13-0409A, ALEX WESTERBAND, M.D., LIC. #23180  
Staff: Ms. Steger, Dr. Caruso
3. MD-13-0400A, JEFFREY B. MONASH, M.D., LIC. #37196  
Staff: Ms. Young, Dr. Caruso
4. MD-13-0589A, CHARLES S. PLIMPTON, M.D., LIC. #20429  
Staff: Ms. Rivera, Dr. Haas
5. MD-13-0820A, ANDRES ALVARADO, M.D., LIC. #26109  
Staff: Ms. Steger, Dr. Coffey
6. MD-13-0734A, SHAUN D. PARSON, M.D., LIC. #27008  
Staff: Ms. Rivera, Dr. Caruso
7. MD-13-0633A, GREGORY L. LABENZ, M.D., LIC. #29349  
Staff: Ms. Rivera, Dr. Coffey
8. MD-13-0865A, ISLAM M. ABUJUBARA, M.D., LIC. #44391  
Staff: Ms. Steger, Dr. Sosnowski
9. MD-13-0827A, SCOTT A. PERKINS, M.D., LIC. #20529  
Staff: Ms. Rivera, Dr. Mattalino

## REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

10. MD-13-0272A, JAMES Y. CHOI, M.D., LIC. #32010

Staff: Ms. Downey, Dr. Coffey

## OTHER BUSINESS

### PROPOSED CONSENT AGREEMENT (Disciplinary)

1. MD-13-1073A, MICHAEL K. MCKINNEY, M.D., LIC. #24574

Staff: Ms. Muller

2. MD-13-0475A, SARDEV S. SIDHU, M.D., LIC. #23778

Staff: Ms. A. Shepherd, Dr. Peairs

### REQUEST FOR TERMINATION OF BOARD ORDER

3. MD-09-0468A, STEPHEN A. BASS, M.D., LIC. #41904

Staff: Ms. Muller

### REQUEST FOR MODIFICATION OF BOARD ORDER AND PHYSICIAN PROFILE

4. MD-02-L088A, MD-04-1506A, and MD-05-0170A, MARC A. BAUDER, M.D., LIC. #15235

Staff: Jennifer Boucek, AAG

### APPEAL OF EXECUTIVE DIRECTOR DENIAL OF LICENSURE

5. MD-13-0576A, LEONARD A. RUBINSTEIN, M.D., LIC. #N/A

Staff: Ms. Rivera

### APPROVE OR DENY LICENSE APPLICATION

6. MD-13-1197A, PHILIP M. JAMES, M.D., LIC. #N/A

Staff: Ms. Rivera

7. MD-13-0992A, JULIE L. DAVIS-BEST, M.D., LIC. #N/A

Staff: Ms. Downey, Dr. Haas

### APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

8. MD-12-1300A, AJMAL A. SULTAN, M.D., LIC. #46001

Staff: Jennifer Boucek, AAG



A handwritten signature in black ink that reads "Patricia E. McSorley".

Patricia E. McSorley, Interim Acting Executive Director