



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, February 1, 2012** **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. § 38-431.01(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: Persons 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

Douglas D. Lee, M.D., Chair
Amy J. Schneider, M.D., F.A.C.O.G., Secretary
James M. Gillard, M.S., M.D., F.A.C.E.P., F.A.A.E.M.
Andrea E. Ibáñez
Jody L. Jenkins, M.D.
Gordi S. Khera, M.D.
Ram R. Krishna, M.D.
Harold Magalnick, M.D.
Germaine Proulx
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, February 1, 2012

CALL TO ORDER – 8:00 a.m.

Douglas D. Lee, M.D., Chair

ROLL CALL

Amy J. Schneider, M.D., F.A.C.O.G., Secretary

CALL TO THE PUBLIC – 8:00 a.m.

| NON-TIME SPECIFIC ITEMS (The Board may choose to discuss these items at any time.) | |
|---|---|
| Executive Director's Report | Lisa S. Wynn, Executive Director |
| Chair's Report | Douglas D. Lee, M.D., Chair |
| Legal Advisor's Report | Jennifer Boucek, Assistant Attorney General |
| Election of Board Officers | Lisa S. Wynn, Executive Director |
| Physician's Responsibility to Treat ER Referrals | Jennifer Boucek, Assistant Attorney General |
| Board Member Tips | Douglas D. Lee, M.D./Ram R. Krishna, M.D. |
| Approval of Minutes | |
| December 14, 2011 Regular Session Meeting, Including Executive Session | |

ADVISORY LETTERS

| NO. | CASE NO. | PHYSICIAN | LIC. # | STAFF |
|-----|-------------|-----------------------------|--------|----------------------------------|
| 1. | MD-11-0966A | PATRICIA L. CLARKE, M.D. | 26877 | Ms. Downey Dr. Sosnowski |
| 2. | MD-11-1381A | PAUL M. GENUISE, M.D. | 26186 | Ms. A. Shepherd Dr. Sosnowski |
| 3. | MD-11-0813A | KRISHIKESH S. IYENGAR, M.D. | 40613 | Ms. Downey Dr. Wolf |
| 4. | MD-11-1045A | GABRIEL F. RAMIREZ, M.D. | 35532 | Ms. Steger |
| 5. | MD-11-0783A | CHARLES J. SAULTS, M.D. | 3175 | Ms. Young |
| 6. | MD-11-0836A | SWARNJIT SINGH, M.D. | 24762 | Ms. C. Shepherd Dr. Wolf |
| 7. | MD-11-0849A | PATRICIA S. SULLIVAN, M.D. | 40062 | Ms. C. Shepherd Dr. Sosnowski |
| 8. | MD-10-1515A | JAMES E. MACIULLA, M.D. | 18726 | Ms. Downey Dr. Haas |
| 9. | MD-11-1100A | DANIEL H. DOWNS, M.D. | 23384 | Ms. Young Dr. Wolf |
| 10. | MD-11-1029A | ANDRE C. MATTHEWS, M.D. | 12836 | Ms. A. Shepherd Dr. Mattalino |
| 11. | MD-11-0702A | MEHRDAD SARIRIAN, M.D. | 34229 | Ms. Young Dr. Coffey |
| 12. | MD-11-1076A | ROBERT L. BESHANY, M.D. | 32472 | Ms. Steger Dr. Coffey |
| 13. | MD-11-1000A | STEVEN P. GALASKY, M.D. | 13631 | Ms. Young Dr. Coffey |
| 14. | MD-11-0641A | CHARLES S. LIPSKIND, M.D. | 17076 | Ms. Downey Dr. Coffey |
| 15. | MD-11-1146A | GIANG T. PHAN, M.D. | 34099 | Ms. C. Shepherd Dr. Caruso |
| 16. | MD-11-1118A | MICHAEL E. STEVENS, M.D. | 29331 | Ms. Young Dr. Haas |
| 17. | MD-11-1299A | THOMAS BROUSSEAU, M.D. | 30331 | Ms. Young Dr. Wolf |
| 18. | MD-11-1046A | WENDI I. KULIN, M.D. | 43119 | Ms. A. Shepherd Dr. Caruso |

| NO. | CASE NO. | PHYSICIAN | LIC. # | STAFF |
|-----|-------------|------------------------------|--------|----------------------------------|
| 19. | MD-11-0691A | JOSE N. ORTIZ, M.D. | 14449 | Ms. Young Dr. Peairs |
| 20. | MD-11-1120A | RYAN R. STRATFORD, M.D. | 33881 | Ms. Young Dr. Haas |
| 21. | MD-11-1140A | ROBERT K. BARNETT, M.D. | 32687 | Ms. Downey Dr. Haas |
| 22. | MD-11-1285A | BRADLEY J. FOLKESTAD, M.D. | 19824 | Ms. C. Shepherd Dr. Haas |
| 23. | MD-11-0737A | BERNADETTE M. FRANCOIS, M.D. | 21733 | Ms. C. Shepherd |
| 24. | MD-11-1195A | RICHARD L. KELLY, M.D. | 20150 | Ms. A. Shepherd Dr. Mattalino |
| 25. | MD-11-0739A | EVAN W. KLIGMAN, M.D. | 26437 | Ms. C. Shepherd |
| 26. | MD-11-1031A | SANDRA L. LEVITT, M.D. | 23910 | Ms. C. Shepherd Dr. Coffey |
| 27. | MD-11-0927A | JEFFREY B. LOOMER, M.D. | 20557 | Ms. Downey Dr. Peairs |

REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

| NO. | CASE NO. | PHYSICIAN | LIC. # | STAFF |
|-----|-------------|-------------------------------|--------|-------------------------------|
| 1. | MD-11-1193A | MICHAEL P. HABIB, M.D. | 15246 | Ms. A. Shepherd Dr. Coffey |
| 2. | MD-11-0740B | JOHN J. KRESL, M.D. | 25703 | Ms. Steger Dr. Caruso |
| 3. | MD-11-1358A | DANIEL J. BECK, M.D. | 31142 | Ms. Young |
| 4. | MD-11-1266A | DOMINGO CHELEUITTE, M.D. | 31374 | Ms. Downey Dr. Mattalino |
| 5. | MD-11-1532A | CHRISTOPHER S. COURTNEY, M.D. | 32102 | Ms. Young Dr. Mattalino |

OTHER BUSINESS

| NO. | CASE NO. | PHYSICIAN | LIC. # | STAFF | SUBJECT |
|-----|-------------|-----------------------------|--------|-----------------------------|---|
| 1. | MD-11-0578A | ROBERT PAGE, M.D. | 7689 | Ms. Downey Dr. Sosnowski | Proposed Consent Agreement for Decree of Censure |
| 2. | MD-11-1451A | MARCO A. SOBRINO, M.D. | 40371 | Ms. A. Shepherd | Proposed Consent Agreement for Decree of Censure |
| 3. | MD-11-1136A | JAMES W. EISENBERG, M.D. | 40512 | Ms. Steger | Proposed Consent Agreement for Letter of Reprimand |
| 4. | MD-11-0779A | CHRISTOPHER S. HINSON, M.D. | 44464 | Ms. C. Shepherd | Appeal of ED Referral to Formal Hearing |
| 5. | MD-11-1508A | THOMAS P. WENTLAND, M.D. | N/A | Ms. A. Shepherd | Approve or Deny the License Application |
| 6. | MD-11-1329A | KAREN F. ARCOTTA, M.D. | 15646 | Ms. C. Shepherd | Proposed Consent Agreement for Surrender of License |
| 7. | MD-11-1319A | LUKE CESARETTI, M.D. | 21772 | Ms. Steger | Proposed Consent Agreement for Letter of Reprimand |
| 8. | MD-11-1318A | WILLIAM L. BOREN, M.D. | 12753 | Ms. Steger | Proposed Consent Agreement for Letter of Reprimand |

LEGAL MATTERS (Scheduled to begin at 10:00 a.m.)

| NO. | CASE NO. | PHYSICIAN | LIC. # | SUBJECT | STATE'S ATTORNEY |
|-----|---|--------------------------|--------|--------------------------------------|--|
| 1. | MD-10-0988A MD-10-1392A MD-11-0006A | ARTHUR J. O'CONNOR, M.D. | 6361 | Motion for Rehearing/Review | Michael W. Sillyman, Kutak Rock (Outside Counsel) |
| 2. | MD-11-0573A | MELVYN V. MAHON, M.D. | 42434 | Motion to Lift Practice Restrictions | Anne Froedge, AAG |

**FORMAL HEARING MATTERS – CONSIDERATION OF ADMINISTRATIVE LAW JUDGE (ALJ)
RECOMMENDED DECISION (Scheduled to begin at 10:00 a.m.)**

| NO. | CASE NO. | PHYSICIAN | LIC. # | SUBJECT | STATE'S ATTORNEY |
|-----|----------------------------|------------------------------|--------|---|---|
| 1. | MD-10-0805A MD-10-1036A | GABRIEL U. OGBONNAYA, M.D. | 32142 | Consideration of and Vote on Proposed Board Order Arising from ALJ Recommended Decision | Anne Froedge, AAG |
| 2. | MD-11-0390A | RICHARD G. BOTTIGLIONE, M.D. | 14927 | Consideration of and Vote on Proposed Board Order Arising from ALJ Recommended Decision | Anne Froedge, AAG |
| 3. | MD-11-0001A | DARRELL J. JESSOP, M.D. | 23441 | Consideration of and Vote on Proposed Board Order Arising from ALJ Recommended Decision | Michael W. Sillyman, Kutak Rock (Outside Counsel) |

FORMAL INTERVIEWS (Scheduled to begin at 11:15 a.m.)

| NO. | CASE NO. | PHYSICIAN | LIC.# | STAFF | PRESENTING BOARD MEMBER |
|-----|---|-----------|-------|-------|-------------------------|
| 1. | THIS MATTER HAS BEEN MOVED TO OTHER BUSINESS #8 | | | | |

FORMAL INTERVIEWS (Scheduled to begin at 1:15 p.m.)

| NO. | CASE NO. | PHYSICIAN | LIC.# | STAFF | PRESENTING BOARD MEMBER |
|-----|---|-----------|-------|-------|-------------------------|
| 2. | THIS MATTER HAS BEEN MOVED TO OTHER BUSINESS #7 | | | | |



Lisa S. Wynn, Executive Director