



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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

FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING Held on Friday, August 22, 2014 9545 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 6:00 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, Dr. Fromm, Mr. Gerding, Dr. Paul, and Dr. Gillard. The following Board member was absent: Ms. Salter.

ALSO PRESENT

C. Lloyd Vest, II, Executive Director, Michel Sucher, M.D., and David Greenberg, M.D., Physician Health Program (PHP) Contractors, participated telephonically. The following staff were present: Carrie Smith, Assistant Attorney General, Legal Advisor; Pat McSorley, Deputy Director; William Wolf, M.D., Chief Medical Consultant; Mary Bober, Board Operations Manager; Celina Shepherd, Licensing Office Manager; Anita Shepherd, Investigations Office Manager; James Gentile, Chief Information Officer; Danielle Steger, PHP; Marlene Young, Investigator; Rachel Shepherd, Investigator; and Andrea Cisneros, SIRC Coordinator.

C. CALL TO THE PUBLIC

Individuals who spoke during the call to the public appear beneath the matter referenced.

CONSENT AGENDA

D. PROPOSED CONSENT AGREEMENTS (Disciplinary)

1. MD-14-0989A, PAUL R. BUTZINE, M.D., LIC. #8964

MOTION: Dr. Khera moved to accept the proposed Consent Agreement for License Reactivation and Probation to participate in PHP.

SECOND: Dr. Krishna

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

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

E. LICENSE APPLICATIONS

i. APPROVE OR DENY LICENSE APPLICATION

1. MD-13-0849A, STUART M. HOFFMAN, M.D. LIC. #N/A

Dr. Wolf summarized that Dr. Hoffman reported a previous malpractice case on his license application involving a patient whom he diagnosed with stage 4 gastric carcinoma and underwent surgery. The patient suffered multiple complications and subsequently expired. A subsequent pathology report was negative for carcinoma. The Medical Consultant (MC) who reviewed the matter opined that the physician deviated from the standard of care by failing to explore the abdomen after another source of the patient's sepsis could not be established.

Ms. Young summarized for the Board that Dr. Hoffman submitted his license application in May of 2013 and disclosed that he had been disciplined by a healthcare facility as well as two medical licensing agencies, in addition to his report of a previous medical malpractice case. Ms. Young explained that Dr. Hoffman's hospital privileges were suspended during the course of a peer review, and that at the conclusion of the peer review process, his privileges were reinstated. She added that the Nevada Medical Board investigated the matter and Dr. Hoffman was issued a Letter of Reprimand and CME Order to address laparoscopic cholecystectomy, cholecystitis, urinary fistula, and gastroenterology related to carcinoma. Ms. Young informed the Board that the New York Medical Board subsequently censured Dr. Hoffman based on the Nevada Board's action.

Board members noted the actions taken against Dr. Hoffman by the two medical boards, and that he had completed the CME required by the Nevada Board. The Board also noted that Dr. Hoffman allowed his Nevada medical license to later become inactive due to non-renewal. The Board recognized that Dr. Hoffman currently holds an unrestricted medical license in New York and that he was granted an unrestricted California medical license in March of 2014.

Dr. Krishna expressed concern regarding the physician's history of disciplinary actions in Nevada and New York. Board members considered returning the case for further investigation of the underlying patient cases or requesting that the physician complete a competency evaluation.

MOTION: Dr. Krishna moved to continue the investigation and review the underlying patient cases.

SECOND: Dr. Khera

Dr. Gillard spoke against the motion and pointed out that the New York action was based on the Nevada Board's disciplinary action, and that the physician recently received an unrestricted license in California. Dr. Gillard added that the Board's MC reviewed the malpractice case and did not take issue with Dr. Hoffman's care, with the exception that a laparoscopic procedure should have been performed to identify the source of the patient's infection.

Dr. Krishna stated that he was of the understanding that the physician withdrew his license at the time that he was being investigated by the Nevada Board. Dr. Fromm clarified that the record reflects that Dr. Hoffman complied with his Nevada Board Order and then subsequently allowed his Nevada license to become inactive. Drs. Krishna and Khera withdrew the motion.

MOTION: Dr. Krishna moved to approve the license.

SECOND: Dr. Khera

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

MOTION PASSED.

2. MD-14-1046A, JAY J. VLAMINCK, M.D., LIC. #N/A
Dr. Vlaminc spoke during the call to the public.

MOTION: Dr. Gillard moved to approve the license.
SECOND: Dr. Krishna

Dr. Gillard stated it appeared that the applicant just finished his residency, and holds licensure in Iowa as well as Minnesota. Dr. Gillard recognized that Dr. Vlaminc immediately self-reported his DUI which was investigated by the residency program and the two boards where he is licensed, neither of which took action against the physician.

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

ii. **INITIAL APPLICATION - REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING OBTAINING ADDITIONAL INFORMATION**

MOTION: Dr. Khera moved to approve the application in item numbers 1, 2, 3, 5, 6, 9, 10, 12, 14, and 15.
SECOND: Dr. Krishna
VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

1. MD-14-1019A, BRIAN D. BRANTNER, M.D. LIC. #N/A
RESOLUTION: Approve the license application.

2. MD-14-1186A, GREGORY G. CARNEVALE, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

3. MD-14-1187A, JUDITH A. CRAYCHEE, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

4. MD-14-1150A, DENNIS C. WESTIN, M.D., LIC. #N/A
Dr. Gillard pulled this matter for discussion. He recognized that Dr. Westin practiced for a short time before realizing that he had allowed his license to expire in error. Dr. Gillard pointed out that Dr. Westin had held a license for 40 years with no prior Board history. He spoke in favor of granting the license and issuing an Advisory Letter for practicing on an expired license.

MOTION: Dr. Gillard moved to grant the license and issue an Advisory Letter for allowing his license to expire and continue to practice during the time that it was expired.
SECOND: Dr. Krishna
VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

5. MD-14-1191A, BRIAN L. MILES, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

6. MD-14-1192A, MARI A. RICKER, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

7. MD-14-1193A, CATHERINE N. KEEGAN, M.D., LIC. #N/A
Board members noted that Dr. Keegan disclosed a pending malpractice case on her license application. Dr. Gillard stated that in reviewing the record, it is apparent that Dr. Keegan is one of twelve defendants in the malpractice claim. Dr. Gillard noted that the malpractice claim alleges the failure to identify bowel obstruction. Dr. Gillard pointed out that Dr. Keegan's report indicates that there was bowel obstruction. He spoke in favor of granting the license.

MOTION: Dr. Gillard moved to grant the license.
SECOND: Dr. Farmer
VOTE: 10-yay, 1-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

8. MD-14-0480A, LORI L. WILCOX, M.D., LIC. #N/A
This item was removed from the agenda.

9. MD-14-1197A, JESSE J. HADE, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

10. MD-14-1196A, FRANK D. POLANCO, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

11. MD-14-1155A, JEFFREY F. SHALL, M.D., LIC. #N/A
Dr. Wolf summarized for the Board that Dr. Shall reported four previous malpractice cases on his license application. Dr. Wolf stated that the cases were remote, with the exception of one case that occurred in 2009. He suggested that the Board return the matter to investigate the 2009 case which involved a patient who developed paralysis after undergoing surgery performed by Dr. Shall, and to review one of the remote cases that involved pinning of the patient's wrong hip. Board members shared Dr. Wolf's concerns and discussed returning the case.

MOTION: Dr. Krishna moved to return the case for further investigation.
SECOND: Dr. Khera
VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

12. MD-14-1156A, ALLIN C. VESA, M.D., LIC. #N/A
Dr. Vesa addressed the Board during the call to the public.

RESOLUTION: Approve the license application.

13. MD-14-1162A, ANTHONY E. DANIELS, M.D., LIC. #N/A
Dr. Gillard noted that Dr. Daniels reported two previous malpractice cases on his license application. Dr. Gillard spoke in favor of returning the case for investigation by a MC to review the cases, which involved retention of surgical towels after surgery.

MOTION: Dr. Gillard moved to return the matter for further investigation by Board staff.

Dr. Perry stated that the retained foreign bodies did not seem to be radiopaque towels, and that the use of these type of towels today is strongly discouraged, if not forbidden, at hospitals for this very reason. Dr. Perry added that it is his belief that Dr. Daniels would undoubtedly have a malpractice claim and settlement as a result of utilizing such towels during surgery. Dr. Perry spoke against returning the case for additional investigation and pointed out that the case occurred in 2007. Dr. Gillard withdrew his motion.

MOTION: Dr. Perry moved to grant the license.
SECONDED: Dr. Farmer
VOTE: 11-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

14. MD-14-1163A, RAMAN KANSAL, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

15. MD-14-1164A, SUSANNAH I. TAYLOR, M.D., LIC. #N/A
RESOLUTION: Approve the license application.

16. MD-14-1177A, IRENE W. CRUITE, M.D., LIC. #N/A

Dr. Gillard pulled this case for discussion and noted that Dr. Cruite was reviewed by two agencies who determined that there was no finding of professional misconduct. Dr. Gillard spoke in favor of granting the license.

MOTION: Dr. Gillard moved to grant the license.

SECOND: Dr. Khera

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

MOTION PASSED.

17. MD-14-1181A, RANDALL J. ROY, M.D., LIC. #N/A

MOTION: Dr. Krishna moved to return the case for additional investigation and to refer the applicant to PHP for an assessment.

SECOND: Dr. Khera

Board members were informed that Dr. Roy holds active medical licenses in Ohio and Kentucky. The Board discussed referring the applicant to PHP for an assessment. It was noted that both the Ohio and Kentucky state boards have confidential health programs, and that there may not be a public record of the physician participating in either program. Dr. Krishna withdrew his motion.

MOTION: Dr. Krishna moved to grant the license.

SECOND: Dr. Gillard

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

MOTION PASSED.

OTHER BUSINESS

F. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR RELEASE FROM INTERIM PRACTICE RESTRICTION

MOTION: Dr. Krishna moved to lift the Interim Practice Restriction on items 3 and 4, and to accept the proposed Interim Consent Agreements.

SECOND: Ms. Brister

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

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

MOTION PASSED.

2. MD-14-0340A, KASSANDRA KOSINSKI, M.D., LIC. #R73995

Dr. Fromm was recused from this case. Dr. Kosinski spoke during the call to the public.

Dr. Michel Sucher, PHP Contractor, reported to the Board that he met with Dr. Kosinski following her successful completion of treatment and recommended that she is safe to practice while participating in PHP for dependence monitoring.

MOTION: Dr. Khera moved to lift the Interim Practice Restriction and accept the proposed Interim Consent Agreement for PHP participation.

SECOND: Dr. Gillard

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: 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 recused from this case: Dr. Fromm. The following Board member was absent: Ms. Salter.

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

MOTION PASSED.

3. MD-14-0935A, ALLAN L. ROWLEY, M.D., LIC. #31278

RESOLUTION: Lift the Interim Practice Restriction and accept the proposed Interim Consent Agreement for PHP participation.

4. MD-14-0433A, TRACI L. PRITCHARD, M.D., LIC. #30359

RESOLUTION: Lift the Interim Practice Restriction and accept the proposed Interim Consent Agreement for PHP participation.

5. MD-14-1028A, SUSAN L. MORTON-PRADHAN, M.D., LIC. #32650

Board members noted that the proposed Interim Consent Agreement is an interim agreement, and that the matter will return for the Board's consideration and final adjudication at the completion of the investigation.

MOTION: Dr. Gillard moved to lift the Interim Practice Restriction and to accept the proposed Interim Consent Agreement for PHP participation.

SECOND:

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: 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 recused from this case: Dr. Fromm. The following Board member was absent: Ms. Salter.

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

MOTION PASSED.

The meeting adjourned at 6:56 p.m.



Patricia E. McSorley

Patricia E. McSorley, Interim Acting Executive Director