



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258
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FINAL MINUTES FOR SPECIAL MEETING

Held on Tuesday, December 2, 2014

9535 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 E. 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 G. Paul, M.D.
Wanda J. Salter, R.N.

GENERAL BUSINESS

A. CALL TO ORDER

Dr. Khera called the meeting to order at 4:54 p.m.

B. ROLL CALL

The following Board members were present: Ms. Bain, Dr. Berg, Ms. Brister, Dr. Farmer, Dr. Fromm, Mr. Gerding, Dr. Gillard, Dr. Khera, Dr. Krishna, Dr. Paul, Dr. Perry, and Ms. Salter.

ALSO PRESENT

Marc Harris, Assistant Attorney General ("AAG"); Carrie Smith, AAG; Anne Froedje, AAG; Patricia E. McSorley, Interim Acting Executive Director; William Wolf, M.D., Chief Medical Consultant; Anita Shepherd, Investigations Office Manager; Celina Shepherd, Licensing Office Manager; Rachel Shepherd, Investigator; James Gentile, Chief Information Officer; Mary Bober, Board Operations Manager; and Andrea Cisneros, Staff Investigational Review Committee ("SIRC") Coordinator.

C. CALL TO THE PUBLIC

Shirley Brener addressed the Board during the call to the public regarding matters previously adjudicated by the Board.

CONSENT AGENDA

D. LICENSE APPLICATIONS

i. APPROVE OR DENY LICENSE APPLICATION

1. MD-14-1080A, PETER M. MAMALAKIS, M.D., LIC. #N/A

Ms. R. Shepherd summarized that Dr. Mamalakis answered yes to several license application questions, indicating that his privileges were suspended due to a complaint filed by a coworker alleging inappropriate conduct. As a result, Ms. R. Shepherd explained that Dr. Mamalakis entered into a counseling and monitoring contract. The privilege suspension was terminated in February of 2013, and a psychosexual evaluation determined that Dr. Mamalakis was safe to practice. He subsequently entered into a non-public disposition agreement with the Maryland Medical Board, concurrent with the monitoring agreement. Dr. Mamalakis later disclosed that he was charged with a DUI in October of 2014.

Board members were informed that Dr. Mamalakis is currently undergoing monitoring by the Maryland Medical Board. Ms. R. Shepherd informed the Board that Dr. Mamalakis is working with the Court regarding his DUI arrest. The Board discussed requesting that Dr. Mamalakis complete a Physician Healthcare Program ("PHP") assessment prior to considering the license application.

MOTION: Dr. Krishna moved to return the case for further investigation to allow the physician the opportunity to undergo a PHP assessment. If the physician declines, he may withdraw his license application.

SECOND: Ms. Salter

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

2. MD-14-1516A, BRIAN W. HARDAWAY, M.D., LIC. #N/A

Ms. R. Shepherd presented this case to the Board and summarized that Dr. Hardaway submitted his license application, in which he disclosed that his hospital privileges had been temporarily suspended for untimely completion of signing medical records. Dr. Hardaway informed Board staff that upon completion of signing the medical records, his privileges were immediately restored. Board staff received verification that Dr. Hardaway is in good standing with no history of discipline in Texas.

MOTION: Dr. Krishna moved to approve the license application and issue the physician a license.

SECOND: Dr. Khera

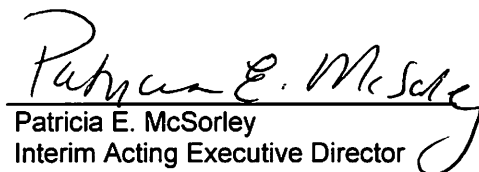
Board members noted that there was no patient harm involved and discussed the common issue of hospitals suspending physician privileges for incomplete medical records. Dr. Khera questioned whether the Executive Director should be granted the authority to adjudicate these matters without the cases having to come before the Board. Dr. Fromm pointed out that most application processes specifically exclude this type of suspension. The Board requested that this hospital issue return to the Board for further discussion at a later date.

VOTE: 12-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The meeting adjourned at 5:06 p.m.




Patricia E. McSorley
Interim Acting Executive Director